

**Key West International Airport
Ad-Hoc Committee on Airport Noise**

Agenda for Tuesday, December 2nd, 2014

Call to Order 2:00 pm Harvey Government Center

Roll Call

- A. Welcome New Member Amy Kehoe representing Aviation
- B. Review and Approval of Meeting Minutes
 - 1. For October 7th, 2014
- C. Discussion of Part 150 Study Update -
 - 1. Role of the FAA and the Part 150 Process
 - 2. Status of NCP ROA
 - 3. Implementation Plan
- D. Other Reports:
 - 1. Noise Hotline and Contact Log
 - 2. Airport Noise Report
- E. Other Discussion
 - 1. Approval of Meeting Schedule for 2015

February 3 rd	April 7 th	June 2 nd
August 4 th	October 6 th	December 1 st
- F. Next meeting: February 3rd, 2015

Meeting called to order by Peter Horton at 2:00 PM.

ROLL CALL:

Committee Members in Attendance:

Paul dePoo
Marlene Durazo
Dr. Julie Ann Floyd
Harvey Wolney
Tina Mazzorana (via telephone)

Staff and Guests in Attendance:

Peter Horton, Monroe County Director of Airports #1
Don DeGraw, Monroe County Director of Airports #2
Sarah Steves, KWIA Airport Operations
Deborah Lagos, DML & Associates
Chris Bowker, Jacobs Engineering
Amy Kehoe, Delta Global Services
Robert S. Gold, Old Town Homeowners
R. L. Blazevic, Resident
Dottie Harden, Resident
Page Haverty, Resident

A quorum was present.

Peter Horton explained that both the Chairperson, Danny Kolhage, and the Vice-Chair, Kay Miller, were unable to attend today's meeting. Therefore, if there were no objections, Peter would steward the meeting today.

Review and Approval of Meeting Minutes for the April 1st, 2014 Ad Hoc Committee Meetings

Peter Horton asked if there were any comments or corrections to the April 1st, 2014 minutes. There were no comments or corrections. Marlene Durazo made a motion to approve the minutes and Julie Ann Floyd seconded the motion. The minutes were approved as presented.

Introductions

Peter Horton informed the Committee that Deborah Murphy Lagos is no longer with URS, and is now out on her own. She will continue to serve as the Airport Noise Program Coordinator through Jacobs Engineering, the airport's general consultant. Peter then introduced Chris Bowker of Jacobs Engineering, and Sarah Steves, a new member of the airport staff, who is the Operations Manager, both of whom were sitting in the audience. He also introduced Don DeGraw, who has been with the County for over a year now, but has been at Marathon. Don is Peter's replacement, since Peter is retiring effective January 15, 2015. Peter also introduced Amy Kehoe who has been designated to replace Marvin Hunt on the Ad Hoc Committee representing aviation. She is the Station Manager for Delta Airlines and works for Delta Global Services.

Discussion of Part 150 Study Update

Deborah reviewed the chart that shows the Part 150 Process, and indicated that we are at the final step in the process, waiting for FAA to issue their Record of Approval. It has been a long process, over three years to get to this point, but we are almost finished. She also reviewed the Role of the FAA in the Part 150 Process. The FAA requested that we include these two documents in the agenda package of every meeting during the time that the Part 150 Study is underway. The FAA's role at this point in the process is to review and approve/disapprove the Noise Compatibility Program and issue their Record of Approval. The FAA's Record of Approval will indicate whether they approve or disapprove each individual measure recommended by the airport.

The good news is that the document is finally at a point where the ADO has no more questions or comments that would require another revision of the document. Several revisions were required to incorporate all of FAA's comments and to get to the point where FAA was willing to accept the document for formal review and approval. The document has been sent to the Regional Office in Atlanta, as well as to Headquarters in Washington, D.C. The FAA issued a Federal Register Notice on September 15, 2014 indicating their receipt of the Noise Compatibility Program and announcing their formal review of the proposed program. The official 180-day review began on September 15, 2014, and will be completed by March 15, 2015. The

FAA has indicated they expect to issue the Record of Approval in December 2014 or January 2015, and they expect to approve most, if not all, of the recommendations. That is the good news.

Peter then explained that the other news is that FAA is requiring an additional step in the process that wasn't required in the previous NIP. Deborah proceeded to explain the FAA's Program Guidance Letter and the two-step eligibility process.

- 1. Property must be located within the 65 DNL contour or FAA-approved Program Boundary, and*
- 2. Property must have an average interior DNL value of 45 DNL or greater.*

Properties must meet both of the above criteria or they will not be eligible to participate in the Noise Insulation Program.

The FAA has indicated that the next steps in the process are (1) to develop a NIP Implementation Plan and Proposed Testing Protocol, and (2) to conduct the Initial Testing Phase. The Program Guidance Letter describes a process for characterizing the diversity of the residences in the Program Areas and developing a property classification protocol, selecting a representative sample of each type of similarly-constructed residences for testing, and performing pre-testing of the representative sample of residences to determine eligibility of each property classification. We believe this methodology will probably work OK for Key West by the Sea since the construction of all the condos is pretty consistent. However, for the single family houses this may present a challenge since their construction is generally more unique.

The timeline we anticipate is to submit a grant application to the FAA in March 2015 in order to obtain funding in August 2015. We are meeting with the FAA to discuss the possibility of including the Implementation Plan, Testing Program, and Design of Phase 1 in that grant. The FAA has suggested that funding for Design of Phase 1 will not occur until August 2016. We are hoping to convince them that we can complete the Implementation Plan, Testing Program, and Design of Phase 1 all in one year, rather than two years. We are trying to make up some of the time we lost because the Part 150 Study has taken so long to complete.

Robert Gold asked about the funding source for the Implementation Plan and Testing Program. Deborah confirmed that the FAA would pay for those tasks and they would be funded in the grant in August 2015.

Ray Blazevec commented that the noise levels at KWBTs will vary considerably at the different buildings, on different sides of the buildings, and between the ground floor and top floor. Deborah responded that when the representative sample of units is selected it will need to take this into consideration and include units from each building and each floor. The number of units to be included is subject to approval by the FAA. The Program Guidance Letter caps the number of units to be tested at 30%. The selection of the units to be tested will be critical because the results of this testing will determine the eligibility for all the units.

Marlene Durazo expressed concern regarding the time of year the testing would be conducted because of the variation in the aircraft traffic between summer and winter. Deborah explained that the testing utilizes an artificial noise source, not real-time aircraft noise, so that the noise will be consistent for the testing. The noise source is placed outside the unit, and microphones are placed outside and inside the unit, in several rooms. The test measures the difference in noise level between the outside and inside of the unit.

Page Haverty questioned what would prevent developers from building new houses with sub-standard noise attenuation, with the expectation that the FAA would then pay for replacement of windows and doors. Deborah explained that the FAA has established a date of constructive notice of the existence of aircraft noise, and houses built inside the airport noise contours after that date are not eligible for insulation. The date is October 1, 1998. If houses are built outside of the noise contours after that date, and then the contours change and they are then inside the contour, then they would be eligible.

Ray Blazevec mentioned that houses are about to be built on the large vacant parcel at the corner of Flagler and 11th Street. He indicated that those houses would have to be constructed with appropriate noise attenuation. Peter indicated that the City of Key West has done a good job in the past of checking to see what our noise contours look like before they issue permits in those areas, and our assumption is that they will continue to do that in the future.

Julie Ann Floyd expressed concern regarding the sampling and testing process and its potential to result in challenges from homeowners who were not included in the sampled group. She felt it will be important to establish a distinct appeals process for homes that are ruled ineligible as a result of the sampling process. Deborah responded that we hope to convince the FAA that 100% testing will be needed for the single family homes, because those homes have been remodeled and/or added on to over time to the point that no two houses are alike.

Peter indicated he thought we all agreed early on that the emphasis will be on Key West by the Sea, because that is 206 units of the 325 or so units in the entire project. He believes the phasing will be to do KWBTs first, before we go on to the others. For a little historical perspective, our previous 150 Study was approved in 1999. Between 1999 and 2009 we did approximately 300 homes at a cost of about \$20 million. We don't yet know how much money the FAA will put toward this project, and in what increments. They've indicated \$4 million to start. If we look at KWBTs, we're talking about \$10 to \$15 million to do all of those 206 units, depending on what savings can be made in economies of scale and so forth, and how much testing and so forth must be completed before the actual construction starts. The grant cycle begins in January of next year with submission of a pre-application, followed by an application in March, and the money usually arrives in August or September. We were hoping to get \$4 million to complete the Plans & Specifications for Phase 1, however, we don't have a feel for how this new testing phase is going to impact the process.

Ray Blazevic asked who makes the decision about the phasing plan, is it the FAA or the airport? Peter responded that we submitted a phasing plan to the FAA as part of the NCP document, and the emphasis was on KWBTs. After we get the ROA back from the FAA, then this Committee will vote on a formal phasing plan and then we'll put that into operation.

Marlene Durazo asked how many sets of testing units will be operating simultaneously, because if it is done one at a time, it could take a lot of time. Deborah responded that because of the potential for interference if multiple tests are conducted simultaneously, there would only be one condo unit tested at a time. However, the testing for each unit doesn't take much time, and quite a few units can be done per day. Marlene asked if there would be back-up equipment

available, in case of equipment failure. Deborah responded that there would be back-up equipment available. Marlene also asked who would pay for this equipment, and Deborah responded that the FAA will pay for the equipment and the testing.

Page Haverty asked about approaches and departures at low altitudes over Garrison Bight, where he lives. He believes it is generally private pilots flying twin engine aircraft. He has also seen helicopters such as the Coast Guard at very low altitudes. Peter explained the history of the Garrison Bight Approach, and the attempt to provide some relief for people living under the straight-in approach. Paul dePoo explained the aircraft are at a higher altitude than 500 feet, probably closer to 800 feet.

Robert Gold asked about the status of the Part 150 study operational recommendations. Deborah responded by reviewing all of the recommendations that were included in the NCP that was submitted to the FAA.

1. Measures Recommended by the Airport Sponsor Requiring FAA Approval

- Provide noise insulation for noncompatible structures in exchange for avigation easements
- Purchase avigation easements
- Rescind approval of the 1999 ROA measure to purchase homes, provide noise insulation, and then resell the homes with avigation easements
- Rescind approval of the 1999 ROA measure to rezone two vacant parcels
- Rescind approval of the 1999 ROA measure to acquire the vacant parcel at the corner of Flagler Avenue and 11th Street
- Purchase an avigation easement from the owner of the vacant parcel at the corner of Flagler Avenue and 11th Street
- Rescind approval of the measure to establish airport noise and public safety compatible land use zoning
- Hire staff or utilize a consultant to fulfill the role of Airport Noise Program Coordinator
- Prepare, print, and distribute full color informational inserts in a format that is compatible with the Jeppesen Sanderson manual, which describe all voluntary noise abatement procedures
- Post framed, weatherproof, large scale versions of pilot handout on the airside at the FBO and airline terminal

- Purchase and install lighted airfield information signs to promote use of voluntary noise abatement procedures
 - Establish a noise and flight track monitoring program by acquiring two portable noise monitors and an FAA-approved flight track monitoring system
 - Update noise contours annually
2. Measures Recommended by the Airport Sponsor that do not Require FAA Approval
- Voluntary use of Ground Power Units when time and safety permit
 - Continue voluntary and mandatory use of designated aircraft run-up location
 - Voluntary use of intersection departures on Runway 09
 - Continue use of a wide variety of flight paths on approach to Runway 09
 - Voluntary southerly helicopter arrival and departure tracks
 - Adherence to voluntary practices for air tour and aerial advertising flights
 - Continue voluntary avoidance of direct flight over Key West by the Sea Condominiums by pilots of air tours and aerial advertising flights
 - Continue voluntary use of noise abatement arrival and departure procedures
 - Continue voluntary curfew of aircraft activity between 11:00 p.m. and 7:00 a.m.
 - Amend land development regulations to prohibit noncompatible land uses within the DNL 65+ dB noise contour
 - Continue holding meetings of Monroe County's Ad Hoc Committee on Noise
 - Subscribe to Whispertrack™ to facilitate distribution of voluntary noise abatement procedures

Robert Gold asked if the document was public. Deborah responded that she would check to make sure the latest version of the document is posted on the Ad Hoc Committee website.

Other Reports

Noise Hotline and Contact Log

Deborah Lagos reported that there was only one call to the Noise Hotline, and two calls to the contact log regarding the NCP.

Airport Noise Report

Peter indicated that KWIA is featured in the latest issue of the Airport Noise Report. It is not included in this meeting's agenda package, but will be in the next package.

Deborah Lagos shared the following articles from the Airport Noise Report that she thought were of interest:

- Vol 26, No. 9 - Need for science-based methodology to determine eligibility
- Vol 26, No. 11 - Use of complaints as a basis for alteration of flight tracks
- Vol 26, No. 15 - Living near airport increases waistline size
- Vol 26, No. 18 - Increased lung disease, less cardiovascular disease
- Vol 26, No 19 and No. 26 - Update annoyance survey
- Vol 26, No 19 - Air quality impacts at LAX
- Vol 26, No 21 and No 26 - First Part 161 restriction on Stage 3 aircraft
- Vol 26, No 23 - VNOMS can identify GA aircraft

Any Other Discussion

Ray Blazeovic asked about increased military operations. Peter indicated that next year it is a possibility that we will get T-6 Texan trainers from the military. Don shared that they were looking at a January through March time period with about 150 student pilots and 25 aircraft. It is not definite that this will happen because of potential conflicts with the current mission of NAS Key West.

Ray Blazeovic asked about military aircraft operations at KWIA. Peter and Paul indicated that military aircraft often use KWIA when NAS Key West is closed, such as on the weekends, especially holiday weekends.

Page Haverty asked about the use of Boca Chica for commercial aircraft operations. Peter and Don explained the history and future potential. Ray Blazevic also shared some interesting history.

Next meeting December 2, 2014.

Paul dePoo moved to adjourn the meeting; Dr. Julie Ann Floyd seconded the motion. The meeting adjourned at 3:10 p.m.

PART 150 PROCESS

NOISE EXPOSURE MAPS

Existing Noise Exposure Map



Future Noise Exposure Map



Public Review

Noise Exposure Maps Report



FAA Review / Comments

FAA Notice of Noise Exposure Map Conformance

NOISE COMPATIBILITY PROGRAM

Operational Noise Abatement Alternatives



Land Use Noise Mitigation Alternatives



Public Review

Program Management Alternatives



**Implementation Plan / Noise Benefit Analysis /
Cost Estimate / Roles & Responsibilities**



Preliminary Noise Compatibility Program Report



FAA Review

Final Noise Compatibility Program Report



Public Hearing



FAA Review - 180 Days

FAA Record of Approval



The Role of the FAA in the Part 150 Process:

Noise Exposure Maps

- Indicates whether they are in compliance with applicable requirements,
- Publishes notice of compliance in the Federal Register, including where and when the maps and related documentation are available for public inspection.

Noise Compatibility Program

The FAA conducts an evaluation of each of the measures (operational, land use, and program management) included in the noise compatibility program and, based on that evaluation, either approves or disapproves each of the measures in the program. The evaluation includes consideration of proposed measures to determine whether they—

- May create an undue burden on interstate or foreign commerce (including unjust discrimination);
- Are reasonably consistent with obtaining the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses;
- Include the use of new or modified flight procedures to control the operation of aircraft for purposes of noise control, or affect flight procedures in any way;
- The evaluation may also include an evaluation of those proposed measures to determine whether they may adversely affect the exercise of the authority and responsibilities of the Administrator under the Federal Aviation Act of 1958, as amended.

The Administrator approves programs under this part, if –

- Program measures to be implemented would not create an undue burden on interstate or foreign commerce and are reasonable consistent with achieving the goals of reducing existing noncompatible land uses around the airport and of preventing the introduction of additional noncompatible land uses;
- The program provides for revision if made necessary by the revision of the noise map;
- Those aspects of programs relating to the use of flight procedures for noise control can be implemented within the period covered by the program and WITHOUT –
 - Reducing the level of aviation safety provided;
 - Derogating the requisite level of protection for aircraft, their occupants, and persons and property on the ground
 - Adversely affecting the efficient use and management of the Navigable Airspace and Air Traffic Control Systems; or
 - Adversely affecting any other powers and responsibilities of the Administrator prescribed by law or any other program, standard, or requirement established in accordance with law.

Source: .Title 14 cfr part 150.

Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 26, Number 30

September 19, 2014

Noise Policy

24 MEMBERS OF CONGRESS ASK FAA TO REVISE NATIONAL NOISE POLICY; LOWER 65 DNL TO 55

Some 24 members of Congress urged FAA Administrator Michael Huerta in a Sept. 12 letter to lower the current 65 dB DNL threshold for residential compatibility around airports to “a more reasonable standard” of 55 dB DNL.

“As Members of Congress who represent thousands of constituents negatively affected by airplane noise, we write to express our disappointment in the lack of progress on the part of the Federal Aviation Administration to address growing noise pollution in our districts and the negative effects noise pollution has on the health, well-being, and property values of our constituents,” the congressional representatives wrote.

Most of those signing the letter represent districts near JFK and LaGuardia airports in New York, Chicago O’Hare International, Los Angeles International, Minneapolis-St. Paul International, and Boston Logan International where residents have mobilized politically to try to roll back recent air route changes done to increase airport capacity.

(Continued on p. 119)

Environmental Review

FAA ISSUES GUIDANCE ON DOCUMENTING CATEX’S REVIEWED BY OFFICE OF AIRPORTS

On Oct. 1, the Federal Aviation Administration’s first Standard Operating Procedure (SOP) on CATEX Determinations will become effective.

The new SOP provides guidance to FAA Airport Planning and Programming personnel and personnel in FAA regional offices on how to document a Categorical Exclusion (CATEX) for airport actions reviewed by the Office of Airports.

The SOP will be of interest to airport sponsors, airport consultants, and state aeronautical agencies. However, it does not apply to the two new categorical exclusions provided for Performance-based Navigation Procedures in the FAA Modernization and Reform Act of 2012, known as CatEx1 and CatEx2. These CATEXs are administered through the FAA Air Traffic Organization.

Council on Environmental Quality regulations provide for Categorical Exclusions (CATEXs) under the National Environmental Policy Act where there is no potential for significant impacts, including significant noise impacts.

A CATEX is not an exemption or waiver from NEPA review, the SOP explains; it is a level of NEPA review. An Environmental Assessment (EA) or Environmental Impact Statement (EIS) is not required if a proposed action falls within the scope of

(Continued on p. 120)

In This Issue...

Noise Policy ... Some 24 members of Congress send letter to FAA Administrator urging him to lower 65 DNL threshold for residential compatibility around airports to 55 dB DNL - p. 118

Environmental Review ... FAA issues guidance on how to document CATEXs for airport actions reviewed by Office of Airports; appendix includes questions on extent of noise impact that must be answered - p. 118

Annoyance Survey ... FAA seeks public comment on its intention to seek approval from Office of Management and Budget to conduct annoyance survey at 20 airports to update relationship between aircraft noise exposure and its effects on communities around airports - p. 119

Sound Insulation ... City of Inglewood near LAX, Los Angeles County, Midway Airport awarded funding for residential sound insulation programs - p. 120

65 DNL, from p. 119

The joint letter is an indication that these citizen groups are now beginning to coalesce to augment their political power.

“Rather than addressing this issue piecemeal in fragmented areas of the nation, we believe it is time for the FAA to tackle this issue on a national level by changing the standard by which it determines acceptable noise pollution,” the congressional representatives told Huerta.

“The current 65 decibel Day-Night Average Sound Level (DNL) metric is outdated and disconnected from the real impact that air traffic noise is having on our constituents and should be lowered to a more reasonable standard of 55 decibel DNL.”

“Although we represent different airports with unique regulations and operating procedures, we are united in our call for lowering the current 65 DNL metric. We believe the 65 DNL, which has been in place since the late 1970s, is no longer a reliable measure of the true impact of aircraft noise.

... “We urge the FAA to expedite its ongoing four-year-long review of the 65 DNL metric and institute overdue and much needed changes. Telling constituents that the FAA’s study is not near completion after five years offers them cold comfort when jet noise is blanketing their communities.”

The congressional representatives also urged the FAA to utilize Next Generation Air Transportation System (NextGen) technologies to minimize airplane noise, telling Huerta “it appears that the FAA has not fully considered the consequences of NextGen’s implementation on airplane noise levels.”

“It is imperative that the FAA properly balance emission and noise concerns. This includes variations of daily flight routes, continuous descent approaches, and rapid ascents. We have seen success using continuous descent in some areas and hope you will institute a national policy to improve the NextGen implementation, with an emphasis on reaching 55 DNL nationally,” they wrote.

The letter was signed by the following congressional representatives; all Democrats: Steve Israel (NY), Grace Meng (NY), Eliot Engel (NY) Hakeem Jeffries (NY), Carolyn McCarthy (NY), Gregory Meeks (NY), Jose Serrano (NY), Mike Quigley (IL), Tammy Duckworth (IL), Jan Schakowsky (IL), Michael Capuano (MA) Katherine Clark (MA), Stephen Lynch (MA), Keith Ellison (MN), Judy Chu (CA), Anna Eshoo (CA), Michael Honda (CA), Zoe Lofgren (CA), Jackie Speier (CA), Maxine Waters (CA), Henry Waxman (CA), John Larson (CT), Jim Moran (VA), and Eleanor Holmes Norton (D.C.)

“The constant barrage of airplane noise over my district in Queens, New York, continues to ruin the quality of life of my constituents,” said Rep. Meng (D-NY) in a press release issued with the letter.

“Time and again, the FAA has carelessly ignored the needs and concerns of the communities I represent by doing virtually nothing to address the problem of increased aircraft noise. That is why it’s time to take this fight to the national

level, and demanding a lower DNL is the best approach to securing relief from the blistering airplane noise that has plagued our area for far too long.”

“Airplane noise is having a significant negative impact on the quality of life of too many of my constituents in Queens and Nassau County, and I know the problem isn’t just confined to my district,” added Rep. Steve Isreal (D-NY).

“That’s why I’m joining colleagues from across the country who also have constituents suffering to call on the FAA to change the national standard at which the agency determines an acceptable level of noise from aircraft. It’s time for the FAA to listen to the needs of our constituents and our communities, and we will continue fighting until they do so.”

“My constituents back home in Chicago are facing unprecedented noise pollution that is eroding their quality of life and impacting their health,” said Rep. Mike Quigley (D-IL).

“Our residents can’t get a decent night’s sleep or even enjoy quality time outside with their children. These are families, not statistics, and they deserve a national standard that properly addresses the unacceptable amount of noise pollution they’ve come to experience day in and day out.”

The congressional representatives want the current 65 dB DNL threshold that FAA uses to determine significant noise impact lowered to 55 dB DNL to increase eligibility for airport sound insulation programs. However, even if that would occur, Congress would need to increase funding for airport sound insulation programs, which it has been decreasing in recent years.

Annoyance Survey**PUBLIC COMMENTS INVITED
ON FAA REQUEST TO DO SURVEY**

The public has until Oct. 14 to submitted comments regarding the Federal Aviation Administration’s intention to seek Office of Management and Budget (OMB) approval to conduct a nation-wide survey to update the relationship between aircraft noise exposure and its effect on communities around U.S. airports.

The survey will be conducted in communities around 20 unidentified airports. FAA will use the survey findings to determine whether it needs to update its national aviation noise policy, which is based on a 65 dB DNL threshold of residential compatibility with airports.

Some 12,147 residents near airports will be surveyed via mail and telephone. It is expected to take respondents five minutes to conduct the mail survey and 20 minutes to complete the telephone survey, which will be administered to selected respondents. The “estimated total annual burden” of the survey is 1,544 hours.

In a Sept. 12 *Federal Register* announcement, FAA asked the public to comment on any aspect of the survey, including:

- Whether the proposed collection of information is necessary for FAA’s performance;

- The accuracy of the estimated burden;
- Ways for FAA to enhance the quality, utility and clarity of the information collection; and
- Ways that the burden could be minimized without reducing the quality of the collected information.

The FAA will summarize and/or include the comments it receives in its request for OMB's clearance of this information collection.

On June 12, FAA issued an earlier request for public comment on the paperwork burden of its planned annoyance survey. It received seven comments in response to that notice.

Comments should reference "Neighborhood Environmental Survey" and be addressed to the attention of the Desk Officer, Department of Transportation/FAA, and sent via electronic mail to oir_submission@omb.eop.gov, or faxed to (202) 395-6974, or mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW., Washington, DC 20503.

For further information, contact Kathy DePaepe at tel: (405) 954-9362; email: Kathy.DePaepe@faa.gov

Sound Insulation

INGLEWOOD, L.A. COUNTY, MIDWAY GET INSULATION FUNDING

Rep. Maxine Waters (D-CA) announced on Sept. 11 that the Federal Aviation Administration has awarded a \$10 million grant to the city of Inglewood for residential noise mitigation.

"Although Inglewood has previously received noise mitigation funds, not all residents have been covered and many have been waiting for years for soundproofing for their homes," Waters said.

The grant may be used to provide residential noise mitigation for up to 480 dwellings in the city, which is situated below the LAX flight path.

In related news, the Los Angeles Board of Airport Commissioners on Aug. 21 authorized a Letter of Agreement between Los Angeles World Airports and Los Angeles County for its Residential Sound Insulation Grant Program and to release \$15.42 million for an eligible noise-mitigation project.

The LAWA grant, combined with a \$5-million grant from the FAA, will enable the County of Los Angeles to soundproof 624 dwelling units in the Athens, Del Air, and Lennox communities that are impacted by operations at Los Angeles International Airport (LAX).

The project cost covers acoustical, architectural, engineering, construction and administrative activities. Construction contractors typically install double-paned windows, solid-core doors, fireplace doors and dampers, attic baffles, insulation, and other elements to achieve a targeted interior noise level of 45 decibels. The work is expected to take less than 15 months to complete.

To date, LAWA has awarded \$66 million in sound-insulation grants and the FAA has awarded \$62 million to the county, for a total of \$128 million.

The grant is in accordance with the LAX Master Plan Stipulated Settlement Agreement reached in February 2006. The agreement calls for LAWA, the Los Angeles City department that owns and operates LAX, to provide up to \$22.5 million annually through 2015 to the County of Los Angeles and the cities of El Segundo and Inglewood for noise-mitigation grants.

Midway Sound Insulation Grant

In related news, Rep. Dan Lipinski (D-IL) announced Sept. 15 that the FAA has awarded a \$10 million grant for noise mitigation measures around Midway Airport, which will provide sound insulation for 364 homes.

"Midway Airport is a well-run, economic engine in the region, serving millions of passengers a year and nearby communities," said Rep Lipinski. "While the airport is a boon for area residents, having grown up less than a mile from Midway I know that issues such as airplane noise are a downside. That is why I am happy to help bring more federal funding for soundproofing area homes."

CATEX, from p. 118

a CATEX described in FAA Order 1050.1E (Environmental Impacts: Policies and Procedures) and FAA Order 5050.4B (National Environmental Policy Act Implementing Instructions for Airport Projects) and the following conditions can be met:

- There are no extraordinary circumstances; and
- Any extraordinary circumstances that are present can be eliminated or resolved through conservation measures included in the project design; or
- Any extraordinary circumstances that are present can be otherwise resolved through the completion of special purpose law requirements.

Section 5-2 of FAA Order 1050.1E lists 12 circumstances that constitute extraordinary circumstances under NEPA. The following two pertain to aircraft noise:

- An impact on noise levels of noise-sensitive areas.
- Effects on the quality of the human environment that are likely to be highly controversial on environmental grounds. The term "highly controversial" means a substantial dispute exists as to the size, nature, or effect of a proposed Federal action.

The effects of an action are considered highly controversial "when reasonable disagreement exists over the project's risks of causing environmental harm. Mere opposition to a project is not sufficient to be considered highly controversial on environmental grounds. Opposition on environmental grounds by a Federal, state, or local government agency or by a tribe or a substantial number of the persons affected by the action should be considered in determining whether or not reasonable disagreement regarding the effects of a proposed

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action exists.” If either of these circumstances are present, a CATEX designation cannot be given.

FAA’s new SOP includes Appendix A which poses questions on a range of environmental impacts, including noise, that must be answered in order to determine if a CATEX determination is warranted.

The SOP is available online at

<http://www.faa.gov/airports/resources/sops/media/arp-SOP-500-catex.pdf>

Guidance Does Not Apply to CatEx1 or 2

The guidance in FAA’s new SOP applies only to the agency’s Airports Division actions and “has no bearing whatsoever” on the two new categorical exclusions for PBN procedures provided in the FAA Modernization and Reform Act of 2012, an FAA spokeswoman said.

On Dec. 6, 2012, FAA issued a memorandum (FAA Order 1050.1E, Change 1, Guidance Memo #5) providing guidance on implementing Section 213(c)(1) of the FAA Modernization Act, which states: “Navigation performance and area navigation procedures developed, certified, published, or implemented under this section shall be presumed to be covered by a categorical exclusion (as defined in section 1508.4 of title 40, Code of Federal Regulations) under chapter 3 of FAA Order 1050.1E unless the Administrator determines that extraordinary circumstances exist with respect to the procedure.”

FAA’s memo notes that this categorical exclusion (dubbed “CatEx1”) applies only to RNAV and RNP procedures to be “developed, certified, published, or implemented” at the 29 large hub (Core) airports plus Memphis International Airport as well as at medium and small hub airports located within the same metroplex area as the Core Airports.

FAA’s guidance on CatEx1 ended the requirement that environmental assessments be prepared for two categories of procedures that previously required an EA:

- New instrument approach procedures, departure procedures, en route procedures, and modifications to currently approved instrument procedures which routinely route aircraft over noise sensitive areas at less than 3,000 feet above ground level (AGL); and
- New or revised air traffic control procedures which routinely route air traffic over noise sensitive areas at less than 3,000 feet AGL.

The FAA is still in the process of developing a method for determining how to comply with Section 213(c)(2) of the Act, known as “CatEx2.”

It provides a CATEX for PBN procedures if they would result “in measurable reductions in fuel consumption, carbon dioxide emissions, and noise on a per flight basis as compared to aircraft operations that follow existing instrument flight rule procedures in the same airspace.”

FAA’s Air Traffic Organization makes the determination as to whether PBN procedures qualify for CatEx1 or CatEx2.

AIRPORT NOISE REPORT

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 26, Number 31

September 26, 2014

Helicopters

FAA WILL SET UP COMPLAINT SYSTEM FOR HELICOPTER OPS OVER L.A. COUNTY

The Federal Aviation Administration said over the Sept. 20 weekend that it would establish a comprehensive complaint system for helicopter noise operations over Los Angeles County.

Rep. Adam Schiff (D-Burbank) applauded the FAA's announcement, saying a complaint system for helicopter noise would play an important role in helping to stem disruptive helicopter noise plaguing residents across Los Angeles County.

A complaint system is the first step necessary to gather data about the extent of the problem and remedies, to identify problem helicopter operators, and to give residents a systematic way to register their complaints, Schiff said in a statement issued the day after FAA's announcement.

An FAA spokesman told ANR, FAA has allocated funding to acquire 12 months of noise complaint data for helicopters. The contract, which Schiff said was worth \$250,000, will pay for developing and implementing a comprehensive helicopter noise complaint system for Los Angeles County.

(Continued on p. 123)

East Hampton Airport

TOWN WILL ADOPT 'WHATEVER LAWFUL MEASURES IT CAN' TO ENSURE PEACE, QUIET

The East Hampton Town Board on Sept. 18 unanimously passed a resolution asserting that it "intends to adopt whatever lawful measures it can to ensure the peace, quiet, tranquility and health" of communities affected by noise from East Hampton Airport.

The resolution states that the measures the Town might choose to adopt may include restrictions on "helicopter and/or other aviation operations."

The Board will not determine whether it will proceed with a noise restriction until Young Environmental Sciences presents the results of its noise study on Oct. 30. The noise analysis will consider flight and landing records, noise complaints, and airport tower logs in an effort to define the precise noise problem to be addressed in a restriction.

It is hoped that draft legislation would be available before Christmas, followed by public hearings and final Board action on the restriction after Jan. 1, 2015. The Board wants the restriction in place in time for the 2015 summer season.

The Town Board's resolution comes less than a month after it held a special meeting at which almost 400 people from surrounding communities urged the

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In This Issue...

Helicopters ... Under heavy pressure from lawmakers to address helicopter noise impact over L.A. County, FAA says it will establish a comprehensive helicopter complaint system - p. 122

Noise Restrictions. ... Town of East Hampton, NY, Board unanimously passes a resolution saying it "intends to adopt whatever lawful measures it can" to address noise from operations at East Hampton Airport, where helicopter noise is a growing problem - p. 122

Grants ... L.A. County, Tweed-New Haven Airport get AIP noise grants - p. 123

Complaints ... PlaneNoise 'Complaint Box' system is up and running at Destin-Ft. Walton Beach - p. 124

NAC ... Aurora, CO, City Councilman Brad Pierce, who was recently elected president of N.O.I.S.E., is the new community representative on the NextGen Advisory Committee - p. 125

Helicopters, from p. 122

“Stakeholders (community groups and helicopter operators) will have an opportunity to provide input on the design of the “complaint box” (i.e., public web site/phone access). The data will help us better understand what kinds of operations are raising noise concerns – what type of helicopter, what type of operation, what routes, what altitudes etc. We expect to implement the system next year,” FAA said.

The agency referred to the helicopter complaint system that will be put into effect for Los Angeles County as a “complaint box.” That is the name of a system developed by the firm PlaneNoise, based in Port Jefferson, NY.

Asked if FAA would employ the PlaneNoise Complaint Box system at L.A. County, the agency spokesman said that no firm has been selected yet for the work.

Lawmakers Pressed FAA to Act

Earlier this year, Schiff and other Los Angeles area lawmakers, including Sens. Dianne Feinstein (D-CA) and Barbara Boxer (D-CA), sent a letter asking for a timeline on the FAA’s Los Angeles Helicopter Noise Initiative.

The agency finally responded to the Los Angeles lawmakers on the heels of legislation that Feinstein and Schiff passed requiring the FAA to act within the year to reduce helicopter noise through voluntary measures, or be forced to put in place regulations to reduce it.

“Pressure from homeowners and lawmakers finally compelled the FAA to act,” Schiff said.

“While we are still waiting for final details – would this merely monitor noise levels or identify the helicopters causing the problem – the establishment of a countywide helicopter noise complaint system could be a significant development in our years-long fight to give L.A. residents the relief that they deserve,” said Schiff.

“Collecting this data may give us a benchmark to work from and identify those who lack regard for residents on the ground – and I’m looking forward to working with the operators, homeowners and the FAA to make sure that we meet the urgent need for noise relief.”

Bob Anderson, the president of the Los Angeles Area Helicopter Noise Coalition – comprising residents from across Los Angeles County who have been working with helicopter pilots and the FAA to reduce helicopter noise without compromising safety – said that the coalition has stressed the need for a countywide noise complaint system and is very excited that the FAA has stepped up to this challenge.

“The request we most often hear from residents impacted by helicopter noise is ‘where can I complain?’ The answer, sadly, was nowhere,” said Anderson.

“This system will now give all residents countywide a place to lodge helicopter noise complaints and will provide irrefutable data identifying helicopter noise hot spots, so our organization can work with pilots and the FAA to stop the noise.

“This system is the first step among many that we are

working toward, including a Tri-Party Agreement between the LAAHNC, pilot organizations, and FAA on voluntary noise-reduction practices.”

In 2013, Schiff and other members of the Los Angeles delegation introduced legislation, the Los Angeles Residential Helicopter Noise Relief Act, and encouraged the FAA to act independently of legislation to reduce helicopter noise in Los Angeles.

Following a lengthy study, the FAA released their report on the Los Angeles airspace, urging voluntary measures over a regulatory approach, which many homeowners and lawmakers felt was an insufficient response.

Sen. Feinstein and Rep. Schiff successfully included language in the omnibus spending bill, which was signed into law, that would require the FAA to develop regulations related to the impact of helicopter use on the quality of life of LA County residents within one year unless the FAA can demonstrate the effectiveness of the six voluntary action items in the helicopter noise report. Efforts to include language in the omnibus were supported by the LAHNC.

AIP

L.A. COUNTY, TWEED-NEW HAVEN GET NOISE MITIGATION GRANTS

On Sept 24, Rep. Maxine Waters (D-CA) announced that the County of Los Angeles has been awarded a \$4.5 million AIP grant from the FAA for residential noise mitigation.

The grant extends funding for the County’s Residential Sound Insulation Program, which provides assistance to families in unincorporated areas of the county to mitigate the impact of noise from aircraft flying into and out of Los Angeles International Airport (LAX).

The grant may be used to provide residential noise mitigation for up to 200 dwellings benefitting approximately 910 people in portions of the communities of Lennox and Athens.

“I am proud to announce that the County of Los Angeles has been awarded this grant to help families in Lennox and Athens who live with constant airport noise in their homes,” said Congresswoman Waters.

Earlier this month, the City of Inglewood was awarded a \$10 million grant from the FAA for residential noise mitigation for homes in Inglewood.

Tweed-New Haven Grant

In related news, Rep. Rosa DeLauro (D-CT) applauded the FAA’s recent announcement that Tweed-New Haven Airport was awarded a \$764,624 AIP grant for noise mitigation.

The funds will be used to mitigate noise arriving and departing planes cause to residents in the surrounding neighborhood.

“I am pleased to applaud this most recent grant from the FAA for residential noise mitigation measures around Tweed New Haven Airport,” DeLauro said.

“As important as Tweed is to the regional economy, we must be sure to take advantage of programs that help its neighbors deal with the noise that departing and arriving flights create. I congratulate the administration at Tweed for working with residents to gauge the noise profile around the airport and for securing resources to lower the impact.”

Said Tim Larson, Tweed Executive Director, “We would like to thank Congresswoman DeLauro for her effort in securing these funds. Tweed-New Haven Regional Airport has been fortunate to receive grant funding in order to undertake a Feasibility Study to determine the projected results that would be derived from a Noise Barrier and determine the eligibility of residences for participation in the Residential Sound Insulation Program.

“This is the initial phase where we will be evaluating and selecting candidate homes for a pilot program. We will be working very closely with our consultants and members of our neighboring community throughout this process as we move forward.”

Complaints

‘COMPLAINT BOX’ SYSTEM UP AND RUNNING AT DESTIN AIRPORT

PlaneNoise, which provides dedicated airport noise complaint management systems in the U.S., announced Sept 24 that Destin-Fort Walton Beach Airport in Destin, Florida, is now using its PlaneNoise® Complaint Box to enhance the airport’s noise comment handling process.

“Our PlaneNoise® Complaint Box is assisting Okaloosa County Airports in implementing its aggressive noise abatement program by providing increased intelligence on where Destin-Fort Walton Beach Airport comments are being generated, how often, and by whom,” said PlaneNoise® Founder and President, Robert Grotell.

“Given the helicopter and other aircraft noise sensitivities of the airport’s surrounding neighborhoods, PlaneNoise® is providing Okaloosa County Airports management and staff with critical data needed for planning, improved airport user and stakeholder interactions, and further enhancing the airport’s overall community compatibility.”

PlaneNoise® Complaint Box is described as “an innovative, affordable cloud-based aircraft noise complaint management application that automates and simplifies the labor and cost intensive tasks of noise complaint collection, investigation, response, database management and reporting.”

“PlaneNoise® Complaint Box was up and running in two weeks and is now providing Destin Airport’s neighbors with a quick and easy way to file noise comments. We’re able to review the comments online in real time and identify noise sensitive areas before issues are escalated at the stakeholder level,” said Mike Stenson, Okaloosa County Airports Deputy Director.

Destin-Fort Walton Beach (KDTS) is the third new com-

plaint system installed by PlaneNoise in 2014, which brings its Complaint Box airport/user total to 12.

To find out more about PlaneNoise®, visit <http://www.planenoise.com>.

East Hampton, from p. 122

Board to impose noise restrictions, especially on the operation of helicopters ferrying wealthy passengers from Manhattan to vacation properties on Long Island.

These helicopter operations increased over 40 percent from last year due to a new business model allowing passengers to split the cost of the flights, thus increasing the market for the service.

ANCA, Part 161 Don’t Apply

East Hampton may be successful in imposing noise restrictions at its airport because of an especially beneficial confluence of timing, FAA correspondence (curiously unsigned), and a federal appeals court ruling.

First, under a settlement agreement with an anti-airport expansion group, FAA agreed to stop enforcing, at the end of 2014, several grant obligations that would allow the FAA to review noise restrictions at East Hampton Airport if still in effect.

Second, the FAA told Rep. Tim Bishop (R-NY) – in an unsigned Feb. 2012 informal legal opinion – that the Airport Noise and Capacity Act of 1990 does not apply to airports that are not obligated under federal grant assurances (24 ANR 42).

That means that the FAA’s Part 161 regulations on Notice and Approval of Airport Noise and Access Restrictions – which were promulgated under ANCA and have blocked new airport noise restrictions for over two decades – also will not apply at East Hampton Airport when grant obligations expire at the end of the year.

And that means that even though helicopter operators can now recertify their aircraft to meet Stage 3 noise standards (26 ANR 28), East Hampton will not have to get FAA approval of a Stage 3 restriction under Part 161 because the regulation will not apply.

Third, the U.S. Court of Appeals ruled in July 2013 in *Helicopter Association International v. FAA* that noise complaints – if substantiated by names and dates – can be used instead of noise levels as the basis for enacting aircraft noise restrictions (25 ANR 86).

That ruling is especially pertinent at East Hampton where helicopter noise impact occurs mainly beyond the airport’s 65 DNL contour line.

FAA told East Hampton in its informal legal opinion that, regardless of whether it is grant-obligated, the legal standard used to judge the permissibility of any noise restriction is that it must be “consistent with Federal and Constitutional law, be reasonable, non-arbitrary, and non-discriminatory, establishing acceptable noise levels for the airport and its immediate environs.”

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And the Town appears to be proceeding in a manner to assure that it meets those legal standards.

It noted in its resolution that it understands that it cannot lawfully adopt a restriction on aviation operations “without first studying the local problem and considering alternative strategies specifically and narrowly tailored to address the identified problem in the affected communities.”

The resolution said the Town “has invested heavily in a sophisticated system for collecting data on noise and disturbance in the vicinity of the Airport, the purpose of which is to provide the Town with robust data upon which to make decisions about the most appropriate way to address local noise and disturbance problems.”

It is likely that aviation interests will challenge any noise restriction that East Hampton will impose. But would FAA?

With Rep. Bishop on the House Transportation and Infrastructure Committee and powerful Sen. Charles Schumer (D-NY) having already forced FAA to impose an off-shore helicopter route off Long Island to reduce noise impact, FAA may just decide to let sleeping dogs lie and argue that East Hampton Airport is a special case with unique circumstances that allow the restriction.

A noise restriction at East Hampton Airport, if enacted, would be the first non-ANCA noise restriction since passage of the act 24 years ago.

In Brief...

New Community Representative on NAC

Brad Pierce, who was elected president of the National Organization to Insure a Sound-controlled Environment (N.O.I.S.E.) in April and serves on the Aurora, Colorado, City Council, is the new community representative on the NextGen Advisory Committee.

He replaces Arlene Mulder, who is the chairwoman of the O'Hare Noise Compatibility Commission.

Pierce served on the N.O.I.S.E Executive Committee as vice president for several years and Aurora has been a member of N.O.I.S.E. for more than 30 years. Representing the City of Aurora, Pierce has been a member of the Centennial Airport Community Noise Roundtable since its founding in 2009.

N.O.I.S.E is a coalition of locally elected officials and industry stakeholders working cooperatively with local and federal government to find workable solutions to the issue of excessive airport noise.

Established in September 2010, the NextGen Advisory Committee is a 28-member federal advisory body formed to provide advice on policy-level issues facing the aviation community in implementing NextGen (modernizing the aviation system).

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Congress

‘QUIET SKIES’ CAUCUS FORMED IN HOUSE TO FIND SOLUTIONS TO NOISE PROBLEMS

On Oct. 1, some 13 members of Congress announced that they have formed a ‘Quiet Skies’ Caucus “to raise awareness on the issue of aircraft noise and to work to find meaningful solutions to the problem.”

The caucus is comprised of representatives of communities mainly in New York, Chicago, Boston, Minneapolis, and Southern California hit either by the noise impact of flight path changes made under NextGen or by noise from increasing numbers of helicopter operations.

Born out of their anger and frustration with the Federal Aviation Administration’s inability or unwillingness to mitigate the impact of these new types of noise impacts, the caucus members hope to increase pressure on the agency to more quickly update its almost 40-year old aircraft noise policy.

FAA’s outdated noise policy was not designed to address NextGen noise problems, particularly the noise impact of new and concentrated flight paths which extends far beyond the FAA’s 65 dB DNL threshold of residential compatibility.

(Continued on p. 127)

Key West Int’l

PROPOSED PART 150 UPDATE EXPANDS SIP, ADDS FLIGHT TRACK MONITORING SYSTEM

Highlights of a proposed update to the Part 150 Airport Noise Compatibility Program for Key West International Airport include the expansion of a successful sound insulation program, the addition of a flight track monitoring system, and a concerted effort to better inform pilots of voluntary noise abatement procedures.

The Federal Aviation Administration announced Sept. 23 that it is currently reviewing the Part 150 update and will accept public comments on it until Nov. 14. The FAA will approve or disapprove the update on or before March 14, 2015.

A total of 323 residential units would be eligible for sound insulation in the update. That includes 194 residential units within the DNL 65 dB contour and an additional 129 residential units that would be eligible for sound insulation through block-rounding. Also eligible for insulation are a church and school with four classrooms and a Catholic Charities facility for the homeless with 23 units.

Key West International has already sound insulated almost 300 homes near the airport under an earlier phase of its sound insulation program that was very well received by the community.

The airport now wants to continue the program for areas that are newly-in

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In This Issue...

Congress ... ‘Quiet Skies’ Caucus is formed by members of Congress angry and frustrated with FAA’s response to NextGen aircraft noise problems; will provide a nation-wide forum for advancing solutions - p. 126

Key West Int’l ... Expanded SIP, addition of flight track monitoring system are highlights of proposed update to Part 150 program currently under FAA review - p. 126

UK ... Major environmental groups demand that new runway to be added at Heathrow or Gatwick pass environmental tests - p. 127

News Briefs ... New housing development barred near Stafford Regional Airport ... City, County to challenge approval of expansion of Mather into significant cargo hub ... \$1 million contract approved for additional residential sound insulation near Bob Hope Airport ... Central Phoenix residents angry over new NexGen departure path at Sky Harbor Int’l - p. 129

Congress, from p. 126

One likely goal of the new caucus will be to push the FAA to allow homes beyond the 65 dB DNL noise contour to qualify for federally-funded airport sound insulation programs. Some 24 members of Congress, including the members of the new caucus, wrote FAA Administrator Michael Huerta on Sept. 12 urging him to lower the 65 dB DNL threshold to 55 dB DNL (26 ANR 118).

The following Members of Congress are members of the new caucus:

- Anna Eshoo (D-CA)
- Adam Schiff (D-CA)
- Henry Waxman (D-CA)
- Alan Grayson (D-FL)
- Tammy Duckworth (D-IL)
- Mike Quigley (D-IL)
- Mike Capuano (D-MA)
- Katherine Clark (D-MA)
- Keith Ellison (D-MN)
- Joe Crowley (D-NY)
- Steve Israel (D-NY)
- Carolyn McCarthy (D-NY)
- Grace Meng (D-NY).

Forum for Advancing Solutions

“Airports can never be perfect neighbors, said Rep. Crowley, “but we can take steps to make them better neighbors. I’m proud to be a founding member of the Quiet Skies Caucus, which will give communities and their federal representatives here in New York and around the country an outlet for voicing concerns associated with airplane noise.

“The Quiet Skies Caucus will also provide a nationwide forum for advancing solutions, such as my Silent Skies Act, which would require airlines to begin stocking their fleets with newer, quieter aircraft. I look forward to working with my fellow caucus members to continue pressuring the Federal Aviation Administration, airport authorities, and others to address the concerns of residents who are impacted by aircraft noise.”

“Too many of my constituents are dealing with an influx of aircraft noise that is negatively impacting their quality of life, said NY Rep. Israel. “While I’ve worked on a local level to solve this problem, I’m proud to join with colleagues from around the country whose constituents are facing a similar issue to create the Quiet Skies Caucus, which will work to find sensible solutions to this ongoing issue.”

Added his colleague Rep. Grace Meng, “The blistering sounds of aircraft noise continue to have negative impacts on many residents of Queens. It is imperative that we continue to work on solutions to this problem, and raising it to the national level through this new caucus is a very sensible way to do that. It is critical for Members of Congress to come together on this issue so that we can share information, discuss ideas, and work with all stakeholders to alleviate the problem of airplane noise. I’m pleased to be a founding member of

this caucus.”

Said Rep. McCarthy, “I have heard from my constituents all over my district expressing their concern regarding the number of airplanes that fly over their homes, citing that the volume has increased in recent years. The Quiet Skies Caucus will hopefully find potential mitigation procedures to help alleviate aircraft sound levels. I look forward to working with my colleagues on this important issue.”

“My constituents back home in Chicago are facing unprecedented noise pollution that is eroding their quality of life and impacting their health,” said Rep. Mike Quigley (D-IL).

“While I’ve worked on a local level to solve this problem, I’m proud to join with colleagues from around the country to create the Quiet Skies Caucus and address this important issue on a national level. Working closely to share information, discuss ideas and develop feasible solutions, I believe together we can help mitigate the noise that is disrupting our communities.”

O’Hare International Airport became a part of Illinois’ 5th Congressional District in January 2013. Since then, Rep. Quigley said he has met continuously with neighborhood organizations and aviation officials to discuss solutions to increased noise pollution resulting from the O’Hare Modernization Program (OMP) under which a major runway realignment was made which shifted the airport’s noise impact.

UK

GROUPS WANT NEW RUNWAY TO PASS ENVIRONMENTAL TESTS

Six major UK environmental organizations, led by the Aviation Environmental Federation (AEF), are demanding that no new runway be added in the London area unless it passes environmental tests to address their concerns about climate change, aircraft noise, air quality, biodiversity, and democratic involvement.

The tests were defined in a “Joint Policy Proposal for a Sustainable Future Aviation Strategy,” issued on Sept. 29 by the AEF, Friends of the Earth, Greenpeace, the World Wildlife Fund, rspb giving nature a home (which restores damaged land), and the campaign for Better Transport, which describes itself at the UK’s leading authority on sustainable transport.

The proposed noise test addresses night noise exposure and flight path changes.

The environmental groups said they have major concerns that the addition of a new runway in the London area, which will be located either at Heathrow or Gatwick airport, “could lead to serious negative environmental impacts including increased levels of aircraft noise, loss of ancient and valuable habitats, and risk to national climate targets.”

If the new runway fails to meet their environmental tests, the groups said they will oppose expansion at Heathrow and

Gatwick Airport.

An Airport Commission appointed by the UK Government is in the process of determining whether the new runway will be located at Heathrow or Gatwick. The Commission's decision will be announced next summer. The runway is being added to expand aviation capacity in the London area.

The environmental groups called on all political parties to include their environmental tests in their party manifestos to indicate how they will consider the findings of the Airports Commission in 2015.

The tests proposed by the environmental groups are detailed in their policy proposal, which can be downloaded at the AEF's website <http://www.aef.org.uk/>

The goals of the environmental tests are to:

- Ensure climate change commitments are not compromised by aviation growth;
- Limit the impact of aircraft noise on both health and quality of life;
- Protect public health by upholding and toughening air pollution laws around airports;
- Examine all local environmental and social impacts of airport expansion;
- Give preference to using existing airport capacity; and
- Ensure full parliamentary scrutiny and debate.

Noise Test

The noise test calls on the UK Government to:

- Set a long term target to achieve World Health Organization (WHO) noise recommendations.

"Evidence of the impacts of aircraft noise on health, notably the impact of night noise on rates of heart disease, strokes and dementia, has increased in recent years. Any future government should commit to achieving health-based limits on aviation noise, such as those recommended by the World Health Organization and by WHO-Europe," the proposal states.

In 2009, WHO-Europe issued guidelines recommending that annual average night exposure to noise should not exceed 40 dB Lnight, outside, which would be equivalent to 50 dB DNL (21 ANR 131).

- Recognize that noise in quiet countryside causes additional disturbance.

"Noise impacts should not be assessed simply in terms of the number of people affected, but should also recognize both the importance of protecting tranquil areas including Areas of Outstanding Natural Beauty and irreplaceable ancient woodland habitats, and the fact that aircraft can cause additional disturbance in places where background noise levels are low," the proposal states.

- Recognize the impact of flight path changes on quality of life.

"Recent trials of new, concentrated flight paths, including at Birmingham, Gatwick and Heathrow, have generated significant and unanticipated new disturbance for people, resulting in very strong opposition from those overflown. Yet there

is no legal protection from the impact of flight path changes.

"Proposed flight paths should be consulted on prior to any decision to expand airport capacity, following the principles of the UK Consultation Charter: Integrity, Visibility, Accessibility, Transparency, Disclosure, Fair Interpretation, and Publication.

"All evidence of the impacts of flightpath changes should be vigorously appraised. The Land Compensation Act should be extended to cover properties devalued as a result of flight path changes relating to existing runways."

Gatwick Revises Noise Action Plan

In related news, Gatwick Airport on Sept. 25 published a revised Noise Action Plan in which the airport committed to:

- Explore whether 'rotating respite' can be provided to communities most affected by noise from aircraft – potentially benefiting more than 11,000 residents;
- Explore other innovative methods to minimize noise – such as the airport's continuous descent approach, where aircraft use less thrust by gliding and descending at a continuous rate. This approach keeps the aircraft higher for longer and generates significantly less noise;
- Consult with local residents on the measures above;
- Request that the UK Department of Transport (DfT) explores ways to describe and measure aircraft noise more clearly to help people understand noise impacts;
- Ask the DfT to undertake research on effects of aircraft noise on human health;
- Commission public studies on noise impacts on particular areas.

Officials at both Gatwick and Heathrow understand that they have to improve their noise mitigation strategy in order to win the competition for the sole new runway that is being planned for the UK.

On July 24, Heathrow Airport launched a twelve week consultation with local residents and businesses, asking for their views on how the airport should structure a proposed \$922.7 million community noise impact compensation package in the event Heathrow is selected next year as the site for the new runway (26 ANR 94).

Heathrow Airport officials are also testing noise respite regimes.

In March, Gatwick officials pledged to pay \$1,665 annually toward local UK property tax to all households in the airport's 57 dB(A) Leq contour, if the new runway is added there (16 ANR 30).

UK Airports Association Report

The environmental groups' proposal to impose environmental tests in order to determine whether a new runway can be added in the London area comes on the heels of a Sept. 10 report by the UK Airport Operators Association (AOA), which asserts that UK airports are already meeting aviation noise and emissions policy objectives to ensure airport sustainability.

The report, *Sustainable Airports: Improving the environ-*

mental impact of the UK's global gateways (see <http://www.aoa.org.uk/wp-content/uploads/2014/09/AOA-Sustainable-Airports-Report.pdf>), contends that UK airports can grow while reducing carbon and managing noise.

Regarding noise impact, the report concludes that the population size within airport noise contours is beyond the control of airports due to a lack of consistency between national aviation policy and UK planning policy.

The report notes that, in the last three years, over 5,700 homes have been given planning permission or have started or completed construction in areas around airports where the UK Government expects some people will experience annoyance at aircraft noise (57 dB LAeq 16 hour contour, which is the UK's threshold for residential compatibility around airports, equivalent to 65 dB DNL in the U.S.).

That increase in housing in the 57 dB LAeq 16 hour contour occurred after the UK Department of Communities and Local Government dropped noise exposure categories for noise-sensitive new dwellings around airports when it recently streamlined its Planning Policy Guidance.

AOA urged the UK Government to give local authorities national policy guidance to help them build homes in areas that are compatible with airports and other infrastructure but which do not cut across national aviation policy.

AOA also proposed in its report that, "If a new home or other noise sensitive building is to be built within the Government's defined noise contour (the 57dB LAeq 16 hour contour), then the housing developer should provide adequate sound insulation and make people aware of aircraft noise before they buy or rent a property."

Key West, from p. 126

cluded in its 65 dB DNL contour, especially a condominium development that has been waiting for several years for the opportunity to participate in the program.

The estimated cost of the sound insulation program from 2015 through 2024 is \$16.3 million. The estimated cost of purchasing aviation easements for those who opt out of the insulation program or are determined to be ineligible for it is \$2.9 million.

The airport's most recent 2013 noise contours are larger than its 2008 contours. The Part 150 update proposes to update noise contours annually, at a cost of \$35,000 a year, in order to disclose significant changes to the size or shape of the current contour and to monitor compliance with aviation easement noise level limits.

The Part 150 update's focus on better informing pilots of voluntary noise abatement procedures is meant to address noise impact for residents beyond that airport's 65 dB DNL contour who are not eligible for sound insulation.

New voluntary operational noise abatement measures (which do not require FAA approval) proposed in the Part 150 update include voluntary use of Ground Power Units, intersection departures, and southerly helicopter arrival and departure tracks, as well as adherence to voluntary practices by

pilots of air tours and aerial advertising flights.

The airport also seeks to hire staff to fill the position of Airport Noise Program Coordinator as soon as possible (\$75,000 annual salary).

Other proposed program management measures in the update include:

- Printing and distributing full color informational inserts, that are compatible with the Jeppesen Sanderson manual, describing voluntary noise abatement procedures;
- Purchasing and installing lighted airfield information signs to promote use of voluntary noise abatement procedures;
- Establishing a noise and flight track monitoring program by acquiring two portable noise monitors and an FAA-approved flight track monitoring system (\$300,000 estimated cost).
- The airport also proposes to subscribe to Whispertrack's service to better distribute information on voluntary noise abatement procedures to pilots (estimated \$2,340 annually).

Comments on the proposed Part 150 update for Key West International should be submitted to Allan Nagy, FAA, Orlando Airports District Office, 5950 Hazelton National Drive, Suite 400, Orlando, FL, 32822; tel: (407) 812-6331.

In Brief...

Release Date for AEDT 2B

DOT's Volpe National Transportation Systems Center announced recently that the next version of the Aviation Environmental Design Tool (AEDT) – Version 2b – would be released at the end of the year.

However, according to the FAA Office of Environment and Energy, AEDT Version 2b will not be released until May 29, 2015.

Housing Barred Near Stafford Regional

By a vote of 5-1, the Stafford, VA, Board of Supervisors on Sept. 16 rejected a proposed residential development near Stafford Regional Airport.

Called Oakenwold, the proposed development would have included 650 residences and up to 250,000 square feet of commercial space on a 232-acre site located southwest of the airport.

Lawsuit over Mather Expansion

Concerned about increased nighttime cargo operations, the Folsom City Council and the El Dorado County Board of Supervisors voted recently to sue Sacramento County, CA, over its plan to expand Mather Airport.

"If the master plan proceeds as planned and Mather is converted to a significant cargo hub, the impacts on the residents of Folsom will be significant into perpetuity, and that is unacceptable," said Folsom Mayor Kerri Howell in a written

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statement.

In August, the Sacramento County Board of Supervisors approved a master plan and environmental documents for Mather that included \$107 million in airport improvements needed to bring the former U.S. Air Force Base up to current FAA standards.

In their litigation, the Folsom and El Dorado County will argue that the County's environmental analysis of the airport expansion is flawed because it failed to consider an alternative to the expansion: using nearby Sacramento International Airport for cargo operations.

\$1 M contract for Bob Hope SIP Approved

The Burbank-Glendale-Pasadena Airport Authority on Sept. 15 approved a \$1 million contract to sound insulate 29 single-family homes and condominiums near Bob Hope Airport.

The homes will receive an average of \$36,000 in improvements, which can include replacement door and windows, improved insulation, and additional weather stripping or the installation of central air conditioning.

When the new insulation work is completed, the airport will have insulated 2,400 homes and four elementary schools at a total cost of \$112 million, funded by FAA grants with 20 percent airport matching funds. The schools were insulated in the early 1990's; the residential treatment program began in 1997.

The airport currently is in the middle of an update to its Part 150 Noise Compatibility Program. Updated noise exposure maps were approved last year.

Phoenix Residents Upset about NextGen Flight Path

Residents in central Phoenix are upset about the noise impact of a new NextGen departure flight path FAA added in mid-September at Phoenix Sky-Harbor International Airport to improve safety and efficiency.

The old departure route required aircraft to fly about nine miles west before turning north. Under the new route, aircraft fly only three miles west before making the turn to the north. Planes heading to destinations north and east of Phoenix will use the new departure route.

Sky Harbor has received more than 240 noise complaints about the new departure route since it was put into effect on Sept. 18 by the FAA under its transition to NextGen, according to *The Republic* newspaper in Phoenix. By comparison, the airport received only 221 noise complaints in all of 2013, the paper noted, adding that residents say they were never notified of the flight path change.

To address the anger of residents under the new flight path, the city has scheduled a community meeting on Oct. 16 in the Phoenix City Council chambers. FAA and airport officials as well as elected city officials, and city staff will attend.

AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

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Airport Noise Report



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NextGen

FAA, NAC AGREE ON PLAN TO ACCELERATE DELIVERY OF KEY NEXTGEN INITIATIVES

A plan to accelerate the delivery of key NextGen initiatives over the next three years has been agreed to by the Federal Aviation Administration and the NextGen Advisory Committee (NAC), FAA Deputy Administrator Mike Whitaker announced.

The agreement was reached at an Oct. 8 meeting between the NAC – a federal advisory committee comprised of airlines, manufactures, and labor groups – and represents the culmination of several months of intensive and unprecedented collaboration, FAA said in a statement.

“The benefits from these initiatives will enable even more aircraft in markets throughout the country to fly more directly, improving safety and efficiency while saving time and reducing fuel burn, carbon emissions and noise,” according to FAA.

The NextGen Priorities Joint Implementation Plan will be finalized by the FAA in collaboration with aviation industry representatives, and will be delivered to

(Continued on p. 132)

John Wayne Airport

ORANGE COUNTY BOARD APPROVES PLAN TO EXTEND NIGHT CURFEW TO END OF 2035

On Sept. 30, the five-member Orange County Board of Supervisors unanimously approved a negotiated noise mitigation plan that, if finalized in the coming months, would protect and extend the neighborhood-friendly operational limitations at John Wayne Airport (JWA) for another generation, the City of Newport Beach said.

Chief among these protections is a nighttime curfew, which would be extended through 2035 under the plan.

The curfew prohibits commercial planes from departing prior to 7 a.m. Monday through Saturday and before 8 a.m. on Sunday, as well as prohibiting all takeoffs after 10 p.m. Arrivals can occur only before 11 p.m. each evening.

The Board’s action, if finalized, will extend the settlement of a 1985 lawsuit by the City of Newport Beach and two anti-noise groups that challenged the airport’s plans to expand. It would be the second time that the 1985 settlement agreement has been amended and extended. The first extension was enacted in 2003 and will expire at the end of 2015.

The proposed extension of the settlement agreement also would allow:

(Continued on p. 132)

In This Issue...

NextGen ... FAA and the NextGen Advisory Committee agree on a plan to accelerate, over the next three years, the delivery of several key NextGen initiatives, including the implementation of PBN procedures in metropolitan areas in Northern California, Atlanta, and Charlotte - p. 131

John Wayne Airport ... The airport’s curfew on night operations will be extended until the end of 2035 under an extension of a 1985 legal settlement agreement approved by Orange County Supervisors - p. 131

Heathrow ... Following noise complaints and criticism by local officials, Heathrow Airport cuts short airspace modernization flight path trials - p. 133

In Brief ... The O’Hare Noise Compatibility Commission approves a motion to ask the FAA to prepare a Supplemental EIS on the O’Hare Modernization Program - p. 134

NextGen, from p. 131

Congress on Oct. 17.

FAA's announcement follows the release in September of a report to Congress by the U.S. Department of Transportation's Inspector General that was critical of FAA's implementation of NextGen.

House Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) and Aviation Subcommittee Chairman Frank LoBiondo (R-NJ) said Sept. 25 that the IG's report "reveals widespread and growing skepticism among the aviation community about the FAA's capability to successfully modernize our nation's airspace ... Congress must thoroughly reexamine whether the FAA's organizational structure will allow the agency to successfully execute new technology programs safely and cost-effectively in the decades ahead."

In conjunction with its announcement, FAA released a study by MITRE Corporation, which the agency said "validated that the FAA has made substantial progress to date" in implementing NextGen.

"MITRE's assessment arrives at a critical time and will inform the agency's ongoing deliberations about tradeoffs and prioritization. In addition, the agency plans to address areas that the report highlighted where improved training, national policies, or clearer governance could improve the realization of NextGen benefits," FAA said.

The MITRE report is available at http://www.faa.gov/nextgen/media/MITRE_NextGen_Independent_Assessment_and_Recommendations.pdf

Agreement Lays Out Clear Path

The FAA/NAC plan to accelerate the delivery of NextGen stresses that the FAA and industry share responsibility to meet the specific milestones, locations, timelines, and metrics for "high priority, high readiness" NextGen initiatives outlined in the plan.

These initiatives include Multiple Runway Operations, Surface and Data Communications, and Performance Based Navigation procedures (PBN).

"One of my first actions as Deputy Administrator was asking our industry stakeholders for a prioritized list of NextGen capabilities," FAA's Whitaker said in his prepared statement. It continues:

Today's agreement lays out a clear path for the delivery of four of those capabilities and, more importantly, reflects what can be accomplished when industry and FAA work together. The priorities outlined in this plan will deliver real benefits to the traveling public in the near-term: reducing flight delays, enhancing safety and increasing predictability.

According to the plan, the FAA will institute new NextGen procedures through the use of Multiple Runway Operations at 36 airports nationwide to increase airport efficiency and reduce flight delays.

The agency also will deploy satellite-based navigation procedures known as Performance Based Navigation (PBN)

at three key metropolitan areas – Northern California, Atlanta and Charlotte – to provide more direct flight paths, improved airport arrival rates, enhanced controller productivity, increased safety due to repeatable and predictable flight paths, fuel savings and a reduction in aviation's environmental impact.

The plan also calls for the FAA to increase Surface Operation data sharing in order to increase predictability and provide actionable and measurable surface efficiency improvements at our nation's airports.

Finally, the FAA will prioritize its work on Data Communications services, which upgrades communication between pilots, air traffic controllers and airline operations centers from voice to digital, providing enhanced safety and efficiency of the airspace system, especially under bad weather conditions.

"Importantly, industry stakeholders are responsible for ensuring pilot awareness of new runway and airspace procedures, equipping aircraft with DataComm technology, collaborating with the FAA on performance based navigation airspace redesign, and data sharing," FAA said.

JWA, from p. 131

- An increase in the number of "Class A" flights (generally, the louder commercial flights) from the existing 85 average daily departures (ADDs) to 95 ADDs from 2021 through 2030; and
- An increase in the current cap of 10.8 million annual passengers (MAP) starting in 2021, when MAP could go up to 11.8 MAP through 2025. The plan would allow MAP to go up again to either 12.2 MAP or 12.5 MAP from 2026 through 2030.

While the Orange County Board's Sept. 30 vote was arguably the most important step in the process for the extension and amendment, two more steps remain. At its Oct. 14 meeting, the Newport Beach City Council will be asked to authorize its legal team to execute documents. If approved, the documents will be filed with the U.S. District Court, as the overall action is the continuation of a legal settlement agreement.

"Following federal passage of the Airport Noise and Capacity Act (ANCA) in 1990, new agreements such as the one protecting JWA's neighbors are almost unheard of," the City of Newport Beach said. "The proposal approved by the Board today reflects a careful balancing of the needs of the citizens of Newport Beach and the air-traveling public."

Multiple Orange County cities along the departure and arrival corridors of John Wayne Airport support the proposed extension, including Anaheim, Costa Mesa, Laguna Beach, Laguna Woods, Orange, Santa Ana, Tustin, and Villa Park.

A representative of the Orange County Business Council also spoke at the Orange County Board meeting in support of the proposed extension, noting JWA's economic benefits to the region, but also how it can impact communities' quality of life.

The proposal agreed to by the Orange County Board was negotiated by the four parties initially involved in the 1985 landmark agreement: Orange County, the City of Newport Beach and two local community groups: Stop Polluting Our Newport (SPON) and the Airport Working Group (AWG).

Negotiations occurred in 2012 and into early 2013, with the environmental document and other legal aspects of the proposal being reviewed at public hearings in much of 2013 and 2014.

Newport Beach said that the County Board's approval "represents a very important milestone for Newport Beach and all of the corridor cities. If the Board had not agreed to extend the terms of the agreement, many of the protections that residents have come to rely upon could have been eliminated by County actions at the end of 2015."

"I am very pleased and thankful that the Board of Supervisors supported the hard work to protect our community from the adverse impacts of an unconstrained JWA and I look forward to considering the City's approval of this matter at the City Council meeting on October 14," said Newport Beach Mayor Rush N. Hill.

"JWA is personal to us – it is an important economic engine but it has the ability to irreparably damage our beautiful community if left unfettered," he added. "We so appreciate the leadership of Orange County Supervisor John Moorlach and our community groups – AWG and SPON – in bringing us this far."

Newport Beach City Council members Leslie Daigle and Keith Curry also participated in the 2012-13 settlement negotiations.

Daigle called the moment, "a terrific step forward on an issue that several years ago made me decide to become a Council member." Curry thanked the community groups and Supervisor Moorlach, stating that, "Once finalized, this remarkable agreement will live on to keep airport impacted communities like Irvine, Costa Mesa, Newport Beach, and Laguna Beach successful and vibrant."

Heathrow

AIRPORT ENDS FLIGHT TRIALS EARLY AFTER NOISE COMPLAINTS

Following noise complaints and criticism by local government officials, Heathrow Airport said it will end current airspace trials on Nov. 12, instead of its original scheduled end date of Jan. 26, 2015, and will postpone additional flight trials set to begin later this month.

The flight trials, run in conjunction with UK's National Air Traffic Service (NATS), are being driven by the UK Government's Future Airspace Strategy, which requires that all airports implement changes to modernize airspace by 2020.

Heathrow's current easterly and westerly trials, which affect departing aircraft, began on July 28 and Aug. 25, respec-

tively. The trials have been testing concepts and techniques necessary to inform how airspace can be better managed in the future. The routes are not indicative of future flight paths.

Heathrow said the trials have been successful in collecting large amounts of data and have provided valuable insight into the design and feasibility of operating precision routes and how Heathrow could maximize noise respite for local residents with new airspace design.

However, the flight trials prompted a 'Stop the Flightpath Trial around Ascot' Facebook campaign to end the noise disturbance and sleepless nights residents said the trials caused.

One local politician, who said that Heathrow had not informed the local governing body about the trials, called them an "omnishambles."

In light of residents' feedback and after meetings with local authorities and Members of Parliament, Heathrow officials said they asked NATS to consider shortening the trials. NATS and Heathrow felt that sufficient data will have been collected by Nov. 12 to confirm the findings of the trials.

Additional trials scheduled to start on Oct. 20 are being postponed until Fall of 2015.

Heathrow said that like other airports throughout the country, it is still required to provide the necessary data to inform the Civil Aviation Authority's plans for future airspace modernization and will be required to run other trials in the future.

The public reaction to the current trials has been much stronger than previous trials held earlier this year, the airport said. Heathrow said it "will therefore review how any trials are carried out in future and will ensure the details of future trials are fully publicized to residents in advance."

Said Matt Gorman, Heathrow Director of Sustainability and Environment, "These trials are crucial in helping us develop ways to manage our airspace more effectively and to reduce noise from Heathrow. We do, however, appreciate that some residents will have experienced a temporary increase in noise as a result of these trials. The feedback we have received during the trials is very important to this process. We are always looking to minimize the disturbance residents may experience as a result of flights around Heathrow, and so we are pleased to have been able to work with NATS to bring an early end to the trials."

Any permanent changes to airspace require Government approval and will be subject to full public consultation.

Better Adherence to Fly Quiet, CDA

In related news, Heathrow officials said Sept. 26 that in the last three months, all airlines featured in Heathrow's Fly Quiet table adhered to night time restrictions, giving local communities predictable periods of noise respite.

No aircraft arrivals violations were recorded by the top 50 airlines between 4:30 a.m. and 6:30 a.m. This is a marked improvement from the previous three-month period, in which three airlines had red scores in this category.

The fourth Fly Quiet league table covers April 2014 to June 2014. British Airways' short haul fleet, Aer Lingus, and

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Virgin Atlantic Little Red remain the top three scoring airlines, a placing they have adhered to since the table was first published last November.

The Fly Quiet table lists the top 50 Heathrow airlines every three months (by number of flights per quarter) according to six noise related criteria. The airlines receive a red/amber/green rating for each criterion, as well as an overall score, which allows them to understand how they are performing in relation to other airlines. If they are not meeting the minimum performance targets, Heathrow works closely with them to improve their rating.

There has also been an improvement in the numbers of aircraft meeting Heathrow's 'Continuous Descent Approach' (CDA) minimum standard, leading to half the amount of red scores in this category since the previous quarter.

The Fly Quiet Program forms part of Heathrow's wider noise action plan to tackle aircraft noise. In accordance with this, an independent report commissioned to benchmark Heathrow's ranking in airport operational noise management alongside other airports shows that Heathrow has risen from third to second place (compared to 2011), with Brussels in first place.

Matt Gorman, Heathrow's Sustainability Director, said: "Heathrow's approach to noise management is already amongst the strictest in the world. This quarter's 'Fly Quiet' league table shows that our approach is leading to tangible results including more airlines meeting our standards for quieter 'continuous descent' landings at the airport. We remain committed to maintaining this achievement and working with all airlines in improving their noise performance in other areas and minimizing the noise impact felt by local communities."

In Brief...

ONCC Seeks SEIS on O'Hare Expansion

At its Oct. 3 meeting, the O'Hare Noise Compatibility Commission (ONCC) approved a motion put forth by the City of Park Ridge, IL, to ask the FAA to prepare a Supplemental Environmental Impact Statement on the O'Hare Modernization Program (OMP), under which a major realignment of runways was made that sparked widespread noise complaints under the new flight paths.

FAA Administrator Michael Huerta told Chicago-area congressional representatives recently that FAA is reevaluating the original EIS on the OMP to determine if an SEIS needs to be prepared (26 ANR 114).

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

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PBN

NAC RELEASES BLUEPRINT FOR SUCCESS IN IMPLEMENTING PBN PROCEDURES

The input of “non-technical stakeholders” – airport authorities, local and regional planning agencies, and community leaders – is critical to the success of efforts to implement Performance-based Navigation (PBN) procedures.

That is a guiding tenant of the NextGen Advisory Committee’s “Blueprint for Success to Implementing PBN,” which is expected to be placed on the NAC’s website (www.rtca.org) this week.

“What has been lacking is a structured approach to engaging community support for PBN,” the NAC tells the Federal Aviation Administration in its Blueprint.

Airports and community groups critical of past PBN projects – because they had little or no role in their planning and implementation – are likely to be pleased that the NAC’s Blueprint recognizes that:

- Airport and community input should be actively sought, especially in the very early planning stages of a PBN implementation effort;
- Community engagement should go beyond public awareness;

(Continued on p. 136)

Sound Insulation

FAA GIVES INDUSTRY 30 DAYS TO COMMENT ON DRAFT OUTLINE FOR SIP AC UPDATE

The Federal Aviation Administration announced a short, 30-day period for commenting on its preliminary draft outline for updating Advisory Circular 150-5000-9A, “Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations.”

A complete preliminary draft AC is due out next spring with public comment to be sought in the Fall of 2015. FAA expects to finalize and issue the updated AC in the Spring of 2016, Jim Byers, an environmental specialist in FAA’s Office of Airports, said Oct. 6 at the 14th annual Airport Noise Mitigation Symposium in Ft. Lauderdale.

He gave no specific deadline for comments to be submitted to him but 30 days following his presentation would be Nov. 5.

Byers said the FAA would prefer to receive comments from trade groups, such as the American Association of Airport Executives and the Airports Council International – North America, that consolidate their members’ opinions. However, that request raised a number of eyebrows in the audience from people who privately

(Continued on p. 136)

In This Issue...

PBN ... A Blueprint for the successful implementation of NextGen Performance-based Navigation (PNB) procedures is released by the NextGen Advisory Committee. It was prepared at the request of the FAA - p. 135

Sound Insulation ... FAA has opened a 30-day comment period on a preliminary draft outline it will follow to update Advisory Circular 150-5000-9A, Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations. The updated AC, due out in the Spring of 2016, will focus on the management of airport sound insulation programs - p. 135

In Brief ... The PANYNJ is seeking firms to conduct Part 150 Airport Noise Compatibility Studies at Newark International Airport and Teterboro Airport ... FAA is reviewing a Part 150 program for Westover Metropolitan Airport ... ESA Airports is seeking an Aircraft Noise Modeler and a Project Manager - p. 137

PBN, from p. 135

- The community's interests should be considered when reasonably possible to do so;
- The potential, or perceived potential, for noise and other community impacts should be evaluated from the outset;
- Often trade-offs and compromises can be made in PBN projects;
- Airports, with their expertise in noise and airport-specific noise mitigation efforts, should be viewed as the lead non-technical stakeholder and assist in identifying other key non-technical stakeholders;
- Airports can serve as bridges between the PBN projects and community stakeholders.

Non-technical stakeholders "are interested in the ultimate benefits associated with PBN procedures and addressing their environmental impacts, both positive (e.g. reduced aircraft emissions) and negative (e.g., concentration of aircraft exposure impacts)," the Blueprint notes.

But it makes two statements in a footnote on p. 8 that may seem irreconcilable to many community groups angered by the noise impact of focused PBN flight tracks.

The footnote states that both a "thorough consideration of environmental impacts" and "timely completion" of environmental reviews are essential to successful PBN implementation. Even the 12-18 months normally needed to prepare an Environmental Assessment of a PBN procedure is considered a barrier to successful PBN implementation.

But community groups contend that FAA is not conducting the thorough environmental review of PBN procedures needed to adequately assess their environmental impact.

They want Congress to rescind the "CatEx2" provision of the FAA Modernization and Reform Act, which requires the FAA to designate PBN procedures with a "Categorical Exemption" under the National Environmental Policy Act in order to speed their implementation.

It is this perceived lack of an adequate environmental review of PBN procedures that animates community groups – and the lawmakers that represent them – to seek their rollback. It is much of the reason that the Quiet Skies Caucus was just formed in the U.S. House of Representatives.

FAA Requested Blueprint

The FAA asked the NAC last December to analyze lessons learned from prior PBN implementations and to develop a "blueprint," or checklist, for future success.

The NAC's PBN Blueprint Task Group used FAA Order 7100.41 as its baseline document. Published on April 3, the Order provides a standardized five-phase implementation process for PBN routes and procedures.

The NAC Blueprint recommends ways to improve the agency's Order:

- Make it apply to all stakeholders in the PBN implementation rather than just to the FAA's Air Traffic Organization;
- Engage airport authorities from the very beginning of a PBN initiative to provide input on the overall goal – and how

important a component noise impact will be – and to formulate community outreach on the project;

- Refine two tools in the Order to better capture lessons learned from past implementations of PBN procedures and employ those lessons in future efforts;
- Form a Technical Stakeholder Outreach Effort to orient and educate first-time members of PBN stakeholders groups so they can better contribute to the implementation effort;
- Establish a more structured non-technical stakeholder community outreach effort.

AC, from p. 135

wondered how trade groups could poll their members and prepare comments in such a short timeframe.

FAA attorneys said there was no need to publish a *Federal Register* announcement on the comment period, Byers noted. The FAA is seeking comment only on a preliminary draft outline of how it plans to update the AC, so there is little to comment on at this point in the update process.

AC 150-5000-9A is being revised to focus on the management of airport sound insulation programs, Byers explained. The updated AC will be renamed "Management of Sound Insulation Programs for Noncompatible Residences and Public Buildings Exposed to Aircraft Noise."

The AC update is intended to provide a consistent framework for noise practitioners in the FAA and airport community to use in defining, designing, and implementing a Sound Insulation Program (SIP).

The AC update team includes the FAA offices of Airport Planning and Environment and Energy, the FAA's Great Lakes and Southern regions, and three consulting firms: VHB, Landrum & Brown (L&B), and Harris Miller Miller & Hanson Inc. (HMMH).

Preliminary Draft Outline

Following is the Preliminary Draft AC Outline that FAA is seeking comment on:

- Roles and Responsibilities
- Developing the Sound Insulation Program
 - Defining physical boundaries
 - Determining interior noise levels
 - Testing
 - Developing the mitigation package
- Implementing Individual Projects
- Special Issues
 - Treatment strategies
 - Community outreach
 - Acoustical engineering
- Project Cost Development and Funding
- Project Reporting and Closeout.

Comments should be submitted to Jim Byers (jim.byers@faa.gov) or to Danielle Rinsler (danielle.rinsler@faa.gov).

ACRP Project

To help with the AC update, the Transportation Research Board has agreed to accelerate work on Airport Cooperative Research Program (ACRP) Project 02-51, Evaluating Methods for Determining Interior Noise Levels Used in Airport Sound Insulation Programs, which is set to be completed in June 2015.

Byers said that FAA will become more active in Project 02-51 than it usually is in ACRP projects and will quickly answer any questions posed by project members.

Project 02-51 was launched to address criticism of the acoustical test plan included in FAA Program Guidance Letter 12-09, Eligibility and Justification Requirements for Noise Insulation Projects, issued in August 2012.

The PGL stipulated that, in addition to homes being within an airport's 65 dB DNL noise contour, they also must meet a 45 dB DNL interior noise level criteria in order for the airport's SIP to be eligible for federal funding.

PGL 12-09 was cancelled on Sept. 30 when FAA issued an update to its Airport Improvement Program Handbook (Advisory Circular 5100.38D). But the requirements in PGL 12-09 are now included in Appendix R of the AIP Handbook.

It is expected that some homeowners will sue FAA, airports, consultants (or all of them) when told that their homes fail to meet the 45 dB DNL interior noise level criterion, which had been only rarely imposed prior to issuance of PGL 12-09 in 2012. So the interior noise level test methodology must be able to withstand legal scrutiny.

Randy Waldek, principal acoustician in the CSDA Design Group and manager of ACRP Project 02-51, told the conference that the goal of the project is to evaluate different acoustical test methodologies and noise reduction calculation methods and to create a "decision matrix" to help airports identify the most appropriate methodology for determining interior noise levels for their sound insulation programs.

However, the project will not define the percentage or types of homes that should be tested in determining compliance with FAA's 45 dB DNL interior noise level criteria.

Field measurements of exterior and interior noise levels in 10 homes near San Diego International and nine homes near Boston Logan were completed in August under Project 02-51. Various measurement methods (flyover, loudspeaker, and sound intensity) were used and air infiltration testing and architectural surveys were conducted, Waldek reported.

He stressed that "logistics rule" when conducting interior noise level testing. "It is very difficult, if not impossible, to measure all interior rooms," he said. In addition, flyover noise measurements are easily contaminated by other noise sources and sound intensity measurements take so much time they are not feasible in a testing program, he noted.

One acoustical consultant told ANR that it would have been cheaper to go ahead and sound insulate all the homes in an airport's 65 dB DNL contour rather than to pay the extra costs for the acoustical testing and analysis needed to determine compliance with FAA's 45 dB DNL interior noise level criterion.

The cost of sound insulating homes in T.F. Green Airport's SIP have increased from around \$30,000 per home pre-PGL to \$47,000 per home with the PGL, Dan Porter of the Rhode Island Airport Corporation, told the conference.

ADOs Need to Be Consistent

FAA Airport District Offices (ADOs) are not consistent in the way they are interpreting and administering the PGL requirements, Sjohnna Knack, who heads San Diego International Airport's Sound Insulation Program, told the conference.

Carla Kell-Smith, president of C. Kell-Smith & Associates, which manages sound insulation programs, agreed. ADOs are inconsistent on not just allowable program materials but also on allowable program costs, she asserted. FAA's Byers asked conferees to let him know when they find inconsistencies in how ADOs are interpreting and administering the PGL requirements.

But he noted that each airport is unique and may have unique circumstances regarding the PGL.

That comment struck some as ironic in that the PGL was issued in order to make the ADOs more consistent in carrying out FAA sound insulation program policy.

In Brief...

PANYNJ Issues RFP for Part 150 Studies

The Port Authority of New York & New Jersey is seeking to identify firms interested in responding to a Request for Proposals (RFP) for the performance of expert professional services for FAR Part 150 Noise Compatibility Studies at Newark International and Teterboro airports.

Services to be performed by the selected Consultant(s) may be funded by the Federal Aviation Administration (FAA).

The successful proposer shall be required to comply with all applicable FAA requirements as required.

RFP #39942 may be obtained online at <http://www.panynj.gov/business-opportunities/bid-proposal-advertisements.html?tabnum=6>.

It is currently anticipated that proposals shall be due by 2:00 PM on Nov. 10, or as otherwise indicated in the document.

Westover Part 150 under Review

On Oct. 10, FAA announced that the noise exposure map for Westover Metropolitan Airport, submitted by the Westover Development Corporation, meets federal requirements.

The FAA also announced that it is reviewing a proposed noise compatibility program for the airport. It will be approved or disapproved on or before April 8, 2015.

For further information, contact Richard Doucette, FAA New England Region, Airports Division, ANR-600, 12 New England Executive Park, Burlington MA 01803.

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ESA Seeks Noise Modeler, Project Manager

ESA Airports, a dedicated aviation consulting practice within Environmental Science Associates (ESA), is seeking to fill two positions: Aircraft Noise Modeler and Project Manager.

Aircraft Noise Modeler: ESA is seeking a professional with technical expertise in aircraft noise modeling using the Integrated Noise Model. Successful candidate will have experience in aviation noise modeling using the INM for CEQA, NEPA, and FAR Part 150 studies. Experience with the AEDT, SOUND32, and TNM is desirable, but not required. Noise modeling position requirements also include familiarity with aircraft types, aircraft operations, aircraft performance, flight tracking systems, and published departure and arrival procedures.

Candidates must have a Bachelor's Degree or higher with strong computer skills and excellent written/oral communication skills. A minimum of two years of practical aircraft noise modeling experience desired, but all skill levels are encouraged to apply. Position located in San Francisco or Sacramento, California or Tampa or Orlando, Florida.

Further information and application are posted at
<http://ch.tbe.taleo.net/CH05/ats/careers/requisition.jsp?org=ESA&cws=1&rid=165>

Project Manager: ESA Airports also is seeking a project manager with expertise in preparing/managing airport environmental, noise, and land use compatibility studies including environmental impact reports, environmental assessments, airport land use compatibility plans, and FAR Part 150 studies.

Successful candidate will have experience in managing project staff, budgets, and schedules as well as participating in public outreach programs. The position requirements also include familiarity with CEQA, NEPA, FAA Orders and Advisory Circulars, Federal Aviation Regulations, and the Caltrans Airport Land Use Handbook.

Candidates must have a Bachelor's Degree or higher with strong project management skills, strong computer skills, and excellent written/oral communication skills. A minimum of five years of practical experience in managing/preparing CEQA, NEPA, FAR Part 150, and ALCUPs desired, but all skill levels are encouraged to apply. Position located in San Francisco or Sacramento, CA, or Tampa or Orlando, FL.

Further information and application are posted at
<http://ch.tbe.taleo.net/CH05/ats/careers/requisition.jsp?org=ESA&cws=1&rid=166>

AIRPORT NOISE REPORT

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

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CatEx2

FAA URGED TO ASK CONGRESS TO CLARIFY LEGISLATIVE INTENT OF CATEX2 PROVISION

The Federal Aviation Administration should ask Congress to clarify the legislative intent of the controversial “CatEx2” provision of the FAA Modernization and Reform Act of 2012, a former FAA attorney, who now represents community groups, and the Noise Oversight Committee at Minneapolis-St. Paul International Airport, told the agency in docket comments.

Section 213(c)(2) of the Act (dubbed CatEx2) is intended to speed the implementation of NextGen Performance-based Navigation (PBN) procedures by requiring FAA to designate them as categorical exclusions (CatEx’s) under the National Environmental Policy Act (NEPA) if they “would result in measurable reductions in fuel consumption, carbon dioxide emissions, and noise, *on a per flight basis*, as compared to aircraft operations that follow existing instrument flight rules procedures in the same airspace.”

The FAA could not find a technically sound way to implement CatEx2 because its preferred DNL noise metric cannot measure noise reduction *on a per flight basis* as required by the statute.

(Continued on p. 140)

ACRP

INM ACCURACY FOR GA AIRCRAFT ADDRESSED IN NEWLY RELEASED ACRP WEB-ONLY REPORT

Discrepancies in INM modeling of general aviation jets result in over-estimation of average fleet departure noise exposure by about 3 dB and of arrival noise exposure by about 1 1/4 dB, a research team concluded in Airport Cooperative Research Program Web-only “Document 19: Integrated Noise Model Accuracy for General Aviation Aircraft.”

It can be downloaded at <http://www.trb.org/main/blurbs/171516.aspx>

The analysis, led by HMMH, Inc., focused on INM accuracy in modeling operations of GA jets. The study compared INM produced sound exposure levels and climb profiles with measured sound exposure levels and radar reported climb profiles.

Modeled jet departures have discrepancies much more significant than modeled arrivals, according to the report.

It noted that “the over-riding source of error” in the INM modeling of GA jet aircraft departures is use of maximum takeoff thrust in the INM rather than the commonly used derated thrust, generally referred to as the “Assumed Temperature Method,” ATM.

(Continued on p. 142)

In This Issue...

CatEx2 ... The MSP Int’l Noise Oversight Committee and a former FAA attorney urge the FAA to ask Congress to clarify the legislative intent of the controversial “CatEx2” provision of the FAA Modernization and Reform Act. While ACI-NA supports the NAC’s recommended method for determining whether PBN procedures comply with CatEx2, community groups and several airport roundtables criticize it - p. 139

GA Aircraft ... New ACRP report finds INM modeling of GA jets results in over-estimation of average fleet departure noise exposure by about 3 dB - p. 139

NASA ... New acoustics techniques are clearing a path for quieter aviation, NASA explains in a News Feature which describes how a team of engineers at NASA’s Langley Research Center is on a mission to make tomorrow’s aircraft easier on the ears - p. 141

CatEx2, from p. 139

So, the agency asked the NextGen Advisory Committee (NAC) for assistance, especially on how measurable reductions in noise on a per flight basis might be measured and assessed.

The NAC developed a procedure called the Net Noise Reduction Method (NNR) (see p. 106 for explanation), which is based on the DNL noise metric.

FAA has been reviewing the recommended procedure for over a year and in September asked for public comments on it and several variations of it being considered by the agency (26 ANR 106).

Former FAA attorney Steven Taber, who now heads the Taber Law Group in Irving, CA, reiterated an earlier warning he offered FAA that the NAC's recommended Net Noise Reduction Method "is legally indefensible and would leave the FAA open to legal attack should it be adopted."

In what amounts to an eight-page legal brief he submitted to the FAA docket, Taber cites case law showing why the U.S. Supreme Court would not support the NAC's reliance on language in a Conference Report on the FAA Modernization and Reform Act to conclude that its Net Noise Reduction Method can be based on FAA's preferred DNL noise metric.

While the CatEx2 provision refers to measuring noise "on a per flight basis," (which would not allow the use of DNL), the Conference Report on the bill refers to measuring noise "on an *average* per flight basis," which would allow FAA to use DNL in determining compliance with CatEx2.

But, Taber reminded the FAA, the courts will not rely on legislative history to interpret a provision of law – or defer to FAA's interpretation of the statute – unless the provision itself is vague or ambiguous, which is not the case with CatEx2.

"An executive branch agency cannot change the wording of a statute itself. If there are issues with the plain meaning of the statute that make carrying out the statute impractical, then the proper response is request that Congress change the wording of the statute," Taber wrote in his comments to FAA.

The Noise Oversight Committee for Minneapolis-St. Paul International Airport agreed. It told FAA that, at its Sept. 17 meeting, the Committee – half of which is comprised of airport users and half by community representatives – unanimously voted to request that the FAA return to Congress and seek clarification on the legislative intent of CatEx2.

The Committee said the removal of "extraordinary circumstances" (specified in FAA environmental guidance) from being considered when determining whether PBN procedures qualify for CatEx2 "is a fatal flaw that completely undercuts the documented needs in the FAA design and implementation process, as was discovered at MSP."

One of the "extraordinary circumstances" cited in FAA NEPA guidance is whether a project is expected to be highly controversial on environmental grounds. Community groups assert that many PBN procedures would meet that criterion which CatEx2 excludes from consideration.

ACI-NA Supports NAC's Method

The Airports Council International – North America (ACI-NA), however, called the NAC's Net Noise Reduction Method "a reasonable interpretation" of the legislative language contained in CatEx2 and urged the FAA "to implement the recommendation as soon as possible."

ACI-NA said it "stands behind the methodology as proposed by NAC, and we believe that the method proposed by the NAC is the most effective way to implement the complicated [CatEx2] provision ..."

The airport trade group, as well as some of the community groups, told FAA that they cannot comment on alternatives to the NAC's method that FAA is considering because they were not fully described in the FAA's notice seeking public comment.

'Shifting Noise Is Unacceptable'

The Los Angeles International Airport/Community Noise Roundtable told FAA that it "strongly supports the implementation of PBN measures that will result in measurable reductions in cumulative aircraft noise exposure across the entire community, but strongly opposes the implementation of PBN measures that would shift aircraft noise exposure from one community to another, even if the total number of people exposed to aircraft noise is shown to be reduced using the Net Noise Reduction Method."

"Shifting noise from one population to another is unacceptable," the LAX Roundtable stressed. This type of "no shifting of noise" policy at LAX "is shared by most other airport community noise forums in the United States and has historically been supported and publicly referenced by the FAA in response to communities seeking relief from incessant aircraft noise exposure resulting from concentrated aircraft overflight activity," the LAX Roundtable wrote.

"However," it noted, "the NRR Method would clearly allow new residents/communities to be exposed to increased aircraft noise, if the NRR calculation shows a neutral or net benefit in the total number of people exposed to aircraft noise, and contradicts the 'no shifting of noise' principle."

"In addition, the NRR Method, if adopted, would potentially allow new people to be exposed to incompatible noise levels of 65 dB DNL and higher with no opportunity for mitigation. If newly impacted people are exposed to incompatible conditions, a Categorical Exclusion should not be allowed."

The LAX Roundtable told FAA that it supports the FAA's use of a per-flight noise calculation to justify Categorical Exclusions only when implementation of a PBN procedure would result in noise reductions in all three noise contours bands used in the NRR Method (45-60 DNL, 60-65 DNL, and 65+ DNL) without shifting noise from one community to another.

The City of College Park, GA, the New Jersey Coalition Against Aircraft Noise (NJCAAN), and several individuals filing docket also were critical of the NAC's NRR Method for determining compliance with CatEx2.

NRR 'Distorts Reality'

Mark and Leanna McEneaney of Arlington, VA, told FAA, "Adverse effects of aircraft noise on public health and welfare are typically caused by the cumulative effect of hundreds of loud noise events throughout the day and night (400 events per 24 hours in our neighborhood), lasting 15 to 30 seconds each, day after day, night after night, year after year, increasing in frequency by 4 to 5 percent per year and projected to double in 20 years.

"The Net Noise Reduction Method does not capture this reality – it distorts it – by portraying the net effect of changes to navigation procedures as one in which aircraft noise is meaningfully reduced. Aircraft noise is not being meaningfully reduced, it is increasing profoundly, and so are the adverse affects of aircraft noise on public health and welfare. Surely, Congress did not intend for the FAA to mask these effects, which is what the Net Noise Reduction does.

"... We are deeply disappointed by the indifference the FAA and industry leaders have shown to the effects of proposed flight path changes on neighborhoods like ours and their seeming incomprehension of how their indifference undermines public trust which is essential for the success of NextGen and for the long-term growth of the airline industry," the couple told the agency.

It remains to be seen whether FAA will ask Congress to clarify the intent of CatEx2.

NASA

NEW ACOUSTICS TECHNIQUES OPEN WAY TO QUIETER AVIATION

[Following is an Oct. 14 News Feature by Sam McDonald of NASA's Langley Research Center.]

A team of engineers at NASA's Langley Research Center is on a mission to make tomorrow's aircraft easier on the ears.

Stephen Rizzi and his fellow researchers have forged technological tools capable of predicting and simulating sounds of flying machines while they're still on the drawing board.

It's a process called auralization. It's intended to help aircraft designers take noise into consideration when imagining new shapes and configurations.

"People in the automobile industry have been doing this for years," said Rizzi, senior researcher for aeroacoustics. "For aircraft, there really hasn't been the capability until recently. By putting these pieces of prediction and auralization together, we have a new capability."

Using computer models, flight measurements and wind tunnel data, NASA Langley acoustics researchers can predict the sonic characteristics produced if an aircraft of a certain design was to soar overhead. The data is then turned into a set of synthesized sounds that are played for people who sign up

to be subjects in what are called psychoacoustic tests.

In this way, NASA Langley measures how humans react to noise that would be produced by aircraft still in the conceptual stage. The system can produce scientifically valid simulations of whirring rotors, roaring jet engines or the distinctive tone of wind rushing over flaps and landing gear. Movement, the Doppler effect and the atmosphere's influence on sound are all taken into account.

As often as four times a year, NASA Langley recruits test subjects who are paid a modest amount to listen to sound simulations and register their reactions. Subjects sit in a small, theater-like room outfitted with 27 speakers and four subwoofers. As sounds are played, subjects answer questions on an electronic tablet.

"We conduct a test, we analyze the data and we report on it," Rizzi said. "Four tests a year is pushing it and that's what we've done in the last year or two. Things are definitely on the upswing."

This kind of knowledge is likely to become more valuable in years ahead. Experts foresee an increase in air traffic. Without understanding and reducing aircraft noise, more traffic will mean more noise around airports.

Also, new types of vehicles are likely to buzz into American airspace in the not-so-distant future. Internet retailer Amazon.com has announced plans to one day deliver goods using flying robots. Meanwhile, engineers at NASA Langley are studying unconventional aircraft designs such as the unmanned aerial system GL-10 Greased Lightning model which flew successfully in a tethered test earlier this year.

"We're in a leadership position on this," Rizzi said, describing his team's forward-thinking acoustics research. "There is no organization I know of that has the capabilities that we do. It's a one-stop-shop for this type of work."

The auralization effort has been supported by a number of the agency's Aeronautics Research Mission Directorate programs, including the Rotary Wing and Aeronautical Sciences projects of the Fundamental Aeronautics Program, and the Environmentally Responsible Aviation project of the Integrated Systems Research Program.

Rizzi said NASA Langley's research into simulating aircraft noise began around 2001 and started to hit stride about three years later. Work initially focused on making recordings of aircraft and reproducing those sounds in a controlled lab setting for test subjects.

"That works well if the aircraft you're interested in is a real aircraft," Rizzi said. "But we work for NASA, so we're more interested in the future. And there are no recordings of paper planes. That led us down the path of having to synthesize the sound."

Rizzi, a musician in his spare time, said the science of noise and the art of melody sometimes connect. "There's a lot of overlap in the techniques used to generate the musical kinds of sounds and those used with aircraft noise synthesis."

In that way, his work and his personal interests feed each other. "I really enjoy coming in and working on this stuff," he said. "It's new and there aren't a lot of other people doing it."

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You can say, 'Listen to this. Isn't this unique and interesting?'"

That's exactly what the team did for a group of GE Aviation engineers who visited NASA Langley back in the spring. The engineers were clearly excited to hear the sound of the latest open rotor engine, even though it wasn't flying yet.

"They really started thinking, 'Wow, what can we do?'" Rizzi said. "We can do things in the design that really change the character of the sound and make it a lot more acceptable."

"When you get a reaction like that based on your work, that's a pretty gratifying experience."

ACRP, from p. 139

Correction of the INM inputs of 10 jet departures will eliminate about 2 1/2 dB of the departure discrepancy and correction of five jet arrivals will eliminate about 1 dB of the arrival discrepancy, according to the document.

The analysis focused on correcting the GA jet departure procedures. Two identified methods, ATM1 and ATM2, based on actual pilot procedures for conducting reduced thrust departures, are described in the report and tested.

"Though both result in realistic departure profiles and sound levels, ATM1 requires involvement with manufacturers and possibly pilots and will be time consuming to develop; the other, ATM2, uses the INM to produce the best departure profile by choosing a correct temperature adjustment," the report explains.

"Though many factors other than use of thrust can affect aircraft departure operations and hence climb rates and sound levels, it is the use of thrust that has the most effect in performance. Use of flaps, drag coefficient, airspeed, aircraft weight and pressure altitude all can affect performance. However, these factors have generally been included in the INM computations, and using the ATM2 procedure takes full advantage of these factors to the extent they are included in the INM. Further, errors in these other factors have minimal effect on computed results," the report noted.

The researchers said that two other ACRP studies, 02-55, "Enhanced AEDT Modeling of Aircraft Arrival and Departure Profiles," and 02-41, "Estimating Takeoff Thrust Settings for Airport Emissions Inventories," are examining current takeoff thrust procedures.

"Eventually, some standardization across all jet aircraft reduced thrust departures could be thought desirable, though from the findings of this study, the possibility of consistency is judged remote," the report concluded.

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

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CatEx2

AIRLINES, AVIATION TRADE GROUPS URGE FAA TO QUICKLY ADOPT NAC'S NNR METHOD

In comments to the Federal Aviation Administration, the aviation industry voiced strong support for the NextGen Advisory Committee's recommended method for implementing the "CatEx 2" provision of the FAA Modernization and Reform Act of 2012, which is intended to accelerate the use of precise, fuel-saving – but noise focusing – Performance-based Navigation (PBN) procedures.

Airlines for America, Southwest Airlines and the Southwest Airlines Pilots' Association, Delta Air Lines, the Cargo Airlines Association, the National Business Aviation Association, and the powerful Aerospace Industries Association urged the FAA to quickly implement the NAC's recommended Net Noise Reduction (NNR) method for determining compliance with CatEx 2.

The large number of airline and industry trade groups submitting comments to the FAA's docket indicates that the industry is nervous that the FAA will further delay, revise, or possibly seek congressional clarification of the NAC's NNR Method, which would allow tight, noise-focusing PBN flight paths – that are spark-

(Continued on p. 144)

PANYNJ

ESA WINS \$8 MILLION CONTRACT TO CONDUCT PART 150 STUDIES FOR JFK INT'L, LAGUARDIA

The Port Authority of New York and New Jersey has signed an \$8 million agreement with Environmental Science Associates to conduct federal Part 150 airport noise compatibility planning studies for John F. Kennedy International and LaGuardia airports over the next three years.

ESA's proposal was the highest rated in the agency's competitive review of four submissions for the contract, which will run between October 2014 and August 2017, the Port Authority said in its Oct. 27 announcement.

The Port Authority is eligible for FAA funding to help offset the costs and has applied for available grant money for each airport.

Under the agreement, ESA will prepare noise exposure maps, analyze land-use compatibility issues, and assess the viability of potential noise mitigation solutions.

The Part 150 studies will show areas around the airports impacted by noise above an average of 55 decibels (55 DNL) for informational purposes only, along with the mapping of the 65 DNL areas as required by the Federal Aviation Administration.

Under the contract for JFK and LaGuardia, ESA will develop and conduct a

(Continued on p. 145)

In This Issue...

CatEx2 ... The large number of aviation industry groups submitting comments to FAA strongly supporting the NextGen Advisory Committee's recommended Net Noise Reduction (NNR) method for determining compliance with CatEx2 indicates that the industry is nervous that the FAA will further delay its acceptance of the method, decide to revise the NNR, or ask congress to clarify the CatEx2 provision - p. 143

PANYNJ ... ESA beats out three other firms to win an \$8 million contract to conduct Part 150 Airport Noise Compatibility studies at JFK and LaGuardia airports.

The Port Authority announces a Nov. 20 meeting at which a vote will be taken on whether separate community Roundtables, or one Roundtable, will be formed for JFK and LaGuardia - p. 143

News Briefs ... KB Environmental Sciences has opening for an Aviation Air Quality Specialist position - p. 146

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ing noise complaints across the country – to be imposed with no Environmental Assessment or Environmental Impact Statement.

CatEx2 requires FAA to classify PBN procedures that reduce noise, emissions, and fuel use “on a per flight basis” as Categorical Exclusions under the National Environmental Policy Act, meaning they would be considered as having no significant environmental impact: a conclusion strongly rejected by residents under these new NextGen flight paths.

The NAC forwarded its recommended NNR method to FAA in June 2013, over 16 months ago. FAA recently announced that it was seeking public comments on the method and several variations of it that FAA is considering (26 ANR 106).

Airlines Disappointed with Delay

Airlines for America told FAA that it “is greatly concerned” that FAA has not yet implemented the congressionally-mandated CatEx 2 provision.

“Moreover,” the airline trade group wrote, “we have been disappointed by the way in which FAA has appeared to unreasonably delay action” on CatEx 2. ... We are hopeful that this delay and approach does not suggest an unwillingness on FAA’s part to implement CatEx 2.”

CatEx 2 also bars FAA from considering “extraordinary circumstances” – described in paragraph 5-2 of FAA Order 1050.1F – when implementing PBN procedures. Among these “extraordinary circumstances” are whether a project is expected to be highly controversial on environmental grounds, to have an impact on noise levels in noise-sensitive areas, or to have an impact on air quality.

This prohibition, more than any other factor, is what is driving strong public opposition to CatEx 2.

A4A addressed this issue its comments.

“While A4A strongly respects the interest of the public regarding the implementation of PBN procedures and the potential impacts such procedures may have, that interest should not be a basis for FAA delay in or failure to implement CatEx 2,” the airline trade group told FAA.

“... Arguably, Congress has used its representative status to speak for the people on this issue [of categorical exclusions], A4A said, noting, “While the statutory legislative language for CatEx 2 excludes consideration of ‘extraordinary circumstances’ in a typical sense, the showing of net noise, fuel burn and emissions reductions and the time and work it takes to demonstrate those reductions do provide additional layers of environmental review in lieu of the more typical ‘extraordinary circumstances’ review.”

A4A stressed that its member airlines recognize the importance of continuing to address aircraft noise and that they have a strong track record in deploying new, quieter technology and noise abatement operational procedures.

Regarding the various alternatives to the NAC’s NNR Method for implementing CatEx 2 that FAA sought public

comment on, A4A said “there is no need to deviate from the proposed NNR Method with what would be a more complex and confusing – and very possibly impracticable – approach.”

Likely alluding to a former FAA attorney’s warning that the NAC’s NNR method will not survive a legal challenge (26 ANR 139), Delta Air Lines told FAA that it is “comfortable that due diligence was exercised” by the NAC to assure the intent of the CatEx 2 language was met.

Southwest Airlines reminded FAA that it has invested “substantial resources” over the past few years in new aircraft, avionics, and flight crew training programs in an effort to prepare for NextGen.

Southwest said “it made these investments based on the FAA’s commitment that NextGen – particularly Required Navigation Performance – would lead to tangible benefits to our company, our customers, and the communities we serve.

“... However, it is clear, based on our experience, new aircraft equipped with the latest technologies and flown by skilled pilots are not enough to achieve these benefits or make NextGen a success.

“For NextGen to succeed, it is critical for the FAA to deliver on new policies, procedures, and controller training programs that account for the precision of GPS and leverage the advancements made by aircraft manufacturers and operators. Without these changes – particularly the development, certification and implementation of new flight procedures and policies that enable modern commercial aircraft to maximize their current capabilities – we have little confidence in the future success of the NextGen program,” Southwest officials wrote.

The Southwest Airlines Pilots’ Association told FAA that it opposes the continued delay of PBN procedures due to localized environmental issues that can delay their implementation, cause procedural changes that can negate their benefits, or render the procedures unusable because they are too difficult to fly.

“There must be a set standard for the environmental assessment [of PBN procedures] and this is delivered by the practicality of the NextGen Advisory Committee’s recommended Net Noise Reduction Method,” Southwest’s pilots told FAA.

No One Size Fits All Approach to PBN

But the Port of Portland told FAA there is no “one size fits all” approach to PBN implementation. “The level of community interest in and potential controversy over PBN implementation will vary by project and location, as will the level of community engagement required.”

“At Portland International Airport, Noise Program staff participated in the PBN development process early enough to help bring potential community impact and concerns into procedure design discussions. This resulted in an implementation that met industry goals for enhanced safety, capacity, efficiency, and reduced fuel-burn while complementing the noise program elements developed collaboratively over the past 30 years.”

Regarding the NAC's recommended NNR method for implementing CatEx2, the Port of Portland noted that reductions in populations exposed from DNL 45-65 may be used to "offset" increases in DNL 65+.

However, the Port told FAA, federal regulations identify noise exposure below 65 DNL as "compatible" with noise sensitive uses, such as homes and schools. Exposure levels above 65 DNL are considered non-compatible with noise sensitive uses.

"If this is the case, can a decrease in noise within 'compatible' exposure levels offset noise exposure deemed incompatible?" the Port asked. "If residents are added to the DNL 65+ exposure, are they entitled to mitigation? If so, who is responsible for the mitigation?"

"The NNR methodology appears to undervalue the impact of annoyance resulting from concentration of flight operations," the Port of Portland told FAA.

"Under PBN, a movement from wide flight paths to more narrow corridors is common and can significantly increase operations over specific communities. Although single-event exposure may be reduced in conventional vs. PBN patterns, the cumulative impact associated with a significantly higher number of operations can result in community concern, significant annoyance, and ultimately opposition."

The Port asked the FAA to provide local airports with advance notice of pending PBN Categorical Exclusion actions that may affect their communities. It also asked that FAA work together with the local airport "to assess whether community outreach is needed and, if so, to determine what techniques will be most effective."

State Lawmakers Oppose CatEx 2

Several state lawmakers have submitted comments to FAA on CatEx 2 and its prohibition on FAA's consideration of "extraordinary circumstances" in its environmental review of PBN procedures.

Massachusetts State Sen. Brian Joyce (D) told FAA that RNAV flight paths "present an extraordinary circumstance that deserves a full and thorough review" under NEPA.

Three Minnesota state lawmakers also told FAA that CatEx 2 should be amended or removed from law. "It should not be implemented."

"In light of the changes PBN procedures will impose on communities – an increase in frequency and concentration of flights and emissions – it is clear that granting a regulatory categorical exclusion from NEPA ... via legislative fiat was arbitrary," they told FAA.

"It defeats the overarching purpose of NEPA and completely ignores true noise and environmental impact," wrote MN State Sen. Scott Dibble and State Rep. Frank Hornstein (who chair the State Senate and House Transportation Committees, respectively) and Speaker of the Minnesota House Rep. Paul Thissen.

Over 60 comments have been submitted to FAA's docket to date. They can be read by going to www.regulations.gov and searching for "FAA-2014-0510"

PANYNJ, from p. 143

comprehensive public outreach program to ensure participation from the communities surrounding each airport.

The Port Authority said it is in the process of procuring a firm to conduct similar Part 150 studies for Newark Liberty and Teterboro airports in New Jersey. Nov. 10 is the deadline for responding to a request for proposals to conduct separate studies for those airports, with the expectation that one consultant will be chosen to do both studies.

"The continuing progress toward the federal Part 150 studies for Kennedy, Newark Liberty, LaGuardia and Teterboro airports marks another milestone in the agency's efforts to address residents' aircraft noise concerns in New York and New Jersey," said Thomas Bosco, the Port Authority's aviation director.

"Working in concert with residents, elected officials, industry partners and FAA representatives, the agency's consultant will perform the intensive, complex studies necessary at these four airports to evaluate noise levels and propose and analyze potential efforts to alleviate the problem."

NY Gov. Andrew Cuomo (D) ordered the PANYNJ to conduct Part 150 studies for LaGuardia and JFK airports last November in response to demands by Queens Quiet Skies (QQS), a politically active community group formed two years ago to protest noise from a new RNAV departure procedure put into effect at LaGuardia airport.

Concern about Structure of Roundtable(s)

In addition to the Part 150 studies for LaGuardia and JFK, Gov. Cuomo also directed the PANYNJ to establish a community roundtable, similar to other such organizations around the country, to address airport noise and related issues in collaboration with the FAA and other stakeholders.

But Queen Quiet Skies believes that the Port Authority has failed to carryout the governor's mandate.

"We have serious concerns about how long it is taking, how decisions are being made and, most especially, whether the Roundtable will be a Roundtable like all others," QQS President Janet McEneaney told Gov. Cuomo in an Aug. 14 letter.

McEneaney wrote that she was told by a high-ranking Port Authority official that the agency's intent is to create an advisory group that is run by the Port Authority. "This is the antithesis of how Roundtables operate all over the United States," she told Cuomo.

"Community aviation Roundtables are not advisory committees. They are legally-constituted organizations with defined decision-making powers that arise from a contract signed by the members," she wrote. "... The airport operating authority is a member but does not manage or control the organization. The members decide together how the Roundtable will work. This is the model that has succeeded everywhere else in the country."

In addition, it is still not clear if the Port Authority will establish individual roundtables for JFK and LaGuardia or

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one Roundtable for both airports, which QQS favors. Having separate Roundtables for JFK and LaGuardia is not a realistic model, McEneaney told Cuomo. "In fact, the Port Authority's own study, in 2012, found that airspace flow between JFK and LGA is so interrelated that it must be considered one airspace and treated accordingly."

QQS and representatives of several other communities under the flight paths of JFK and LaGuardia met with Sen. Charles Schumer (D-NY) on Oct. 10 to discuss a broad range of aircraft noise-related issues, including QQS's concern about the structure and independence of the JFK/LaGuardia Roundtable(s). QQS told ANR it was very pleased with the meeting at which Sen. Schumer's promise to arrange to have them meet with top FAA officials on the Roundtable matter.

This has not happened yet but yesterday the PANYNJ announced that it will hold a meeting of Aviation Community Roundtable(s) members on Nov. 20, at which time members will be able to vote on the structural model they prefer for the JFK/LaGuardia Roundtable(s). The Port Authority will present a draft Roundtable model it has developed.

"Once the structure of the Airport roundtable(s) is finalized, an early order of business for the members would be to adopt By-Laws and elect officers. At that point, the Port Authority will cede its stewardship role and we look forward to being a member of the final structure(s) agreed upon. This approach will place decision-making power in the hands of the Roundtable(s) member," Edward Knoesel, senior manager, Environmental and Noise Programs, PANYNJ, explained.

QQS said they were very encouraged by the tone and content of Knoesel's letter. They are now in the process of providing Sen. Schumer with answers to three questions he posed at the Oct. 10 meeting with them: what aircraft noise problems are they currently facing? how do they differ from past problems? and what can be done about them?

In Brief...

Aviation Air Quality Specialist Position Open

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AIRPORT NOISE REPORT

Anne H. Kohut, Publisher

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Airport Noise Report



A weekly update on litigation, regulations, and technological developments

Volume 26, Number 37

November 7, 2014

Elections

SANTA MONICA VOTERS REJECT AOPA/NBAA BALLOT MEASURE ON AIRPORT'S FUTURE

Santa Monica, CA, voters on Nov. 4 rejected a well-funded ballot measure by the Aircraft Owners and Pilots Association and the National Business Aviation Association that would have required a public vote on any effort to close Santa Monica Airport or restrict aviation activity.

Instead, city voters supported a rival ballot measure put forth by the Santa Monica City Council that allows the Council to make decisions regarding the fate of the airport. Under Measure LC, airport land can only be turned into public parks, open space, or recreational facilities. The City will have to seek voter approval for any other uses of airport land.

The Santa Monica City Council has long sought to close its 227-acre airport, which is closely surrounded by homes and sparks frequent complaints about aircraft noise and emissions. The City currently is considering whether to close all or part of the airport or to enact measures to restrict airport activity.

"We are tremendously disappointed that the City Council will be able to continue business as usual when it comes to attempts to close and redevelop the air-

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Elections

78 PERCENT OF CHICAGO VOTERS URGE FAA TO EXPAND O'HARE INSULATION PROGRAM

Voters in Chicago and its suburbs sent a strong message to the Federal Aviation Administration on Nov. 4 by overwhelmingly approving advisory ballot referendums calling for expanded residential sound insulation and other noise mitigation remedies to address noise from a new runway and major realignment of runways at O'Hare International Airport.

Over 78 percent of Chicago voters approved an advisory referendum on the Chicago ballot urging the FAA to make more homes eligible for soundproofing assistance.

Chicago Alderman Margaret Laurino, who co-sponsored the advisory referendum, said she put it on the ballot because she supports her community and believes it deserves a chance to send a strong message to the FAA.

"Thank you to everyone who voted for the soundproofing resolution," Alderman Laurino said. "The feds cannot ignore us when we speak together as a community."

The *Chicago Tribune* reported that an advisory referendum to create and enforce mandatory "fly quiet" hours around O'Hare passed by 92 percent in the sub-

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In This Issue...

Elections ... Santa Monica voters reject an expensive ballot measure backed by AOPA/NBAA that sought to take control of the airport's future out of the hands of the City Council and put it in the hands of the voters - p. 147

... Voters in Chicago and its suburbs overwhelmingly approve ballot measures calling on FAA to expand O'Hare sound insulation program, impose mandatory fly quiet program - p. 147

Noise Policy ... FAA anticipates being able to deliver an updated comprehensive civil aviation noise policy document by 2020, FAA Office of Environment and Energy officials report in a paper presented at the ICBEN 2014 meeting in Japan - p. 148

Los Angeles Int'l ... L.A. Board of Airport Commissioners authorizes \$18.2 million for sound insulation in the City of Inglewood. It will be added to \$13.66 million from the FAA to insulate 746 dwelling units - p. 150

Santa Monica, from p. 147

port,” said Bill Dunn, AOPA vice president of airports.

“But that doesn’t mean SMO is closing or that we’re giving up on it. Despite yesterday’s vote, the city still needs to comply with federal requirements to keep the airport operational and AOPA will continue to work with airport advocates to defend and protect this valuable and historic field.”

Only 41.7 percent of Santa Monica voters (7,646 votes) cast ballots in favor of the AOPA/NBAA-backed Measure D, which is odd in that more than 15,500 signatures were submitted to the city clerk in June to get the measure placed on the ballot. The City Council’s rival Measure LC garnered 11,181 votes by 59.73 percent of voters.

AOPA and NBAA spent over \$500,000 promoting Measure D. They argued that closing or limiting activity at the airport would affect 175 businesses and 1,500 jobs and that the airport adds \$250 million to the local economy each year.

Passage of rival Measure LC “was a mandate from the people,” John Fairweather, a leader of the anti-airport campaign told the *Los Angeles Times*. “I want to thank the aviation lobbyists for allowing us to put LC into the city charter. It would not have gotten there without the arrogance and disdain they exhibited.”

Fairweather told the *Times* that Measure LC would allow Santa Monica “to pursue its starvation strategy for the airport, which includes shortening the runway, reducing fuel sales and eliminating aviation-related leases until the facility can be closed perhaps as soon as next year.”

In February, a U.S. District Judge granted a motion by the Department of Justice and the Federal Aviation Administration to dismiss the City’s lawsuit seeking to release it from its obligation to operate Santa Monica Airport as an airport (26 ANR 22).

Despite that legal setback, the Santa Monica City Council voted unanimously on March 25 to begin contingency planning for the possible closure of all or part of its airport after July 1, 2015, when the City believes federal airport grant agreements expired (26 ANR 38). FAA contends that the grant agreements expire in 2023.

O’Hare Int’l, from p. 147

urban community of Bensenville, 82 percent in Bloomingdale, 90 percent in Itasca, and 92 percent in Wood Dale.

The ballot questions were voted on a year after a major runway realignment at O’Hare redirected air traffic from a diagonal axis to an east-west direction, putting aircraft over thousands of newly noise-impacted homes.

In addition, a new runway was opened at O’Hare that directed aircraft over northwest portions of the City of Chicago for the first time and launched the formation of the FAiR (Fair Allocation in Runways) community coalition, which has been very effective in turning aircraft noise impact into a local political issue.

The day after the ballot measures passed, FAiR called for the immediate resignation of Arlene Mulder, chairwoman of the O’Hare Noise Compatibility Commission, an organization funded by the City of Chicago that distributes sound insulation funds to communities impacted by aircraft noise from O’Hare and Midway airports.

“In the wake of 138,106 noise complaints, a record setting and historical number of citizen complaints from both city and suburbs; no follow-up action based on these same noise complaints, several citizen ballot referendums overwhelmingly supporting more federal funding for home noise insulation; and the ONCC Chairwoman’s refusal to allow real public participation at ONCC meetings, the FAiR Coalition calls for the immediate resignation of ONCC’s Chairwoman Arlene J. Mulder,” FAiR said in a press release.

“Most notably, Chairwoman Mulder’s priorities have not addressed the critical issues of escalating noise complaints. No matter how many complaints have been made, nothing changes in how the ONCC operates,” said Jim Argionis, FAiR Leadership Team member.

Asked to respond to FAiR’s demand that Mulder resign, ONCC Executive Director Jeanette Camacho commented, “Arlene J. Mulder continues to serve in her role as ONCC chairman. She is dedicated to actively leading ONCC members in their pursuit of ONCC’s mission to reduce aircraft noise through residential and school sound insulation. ONCC has overseen these two successful programs that have expended over \$550 million to improve the quality of life for residents and students living within the O’Hare region.

“Chairman Mulder also fosters ongoing dialogue with the Federal Aviation Administration, Chicago Department of Aviation, commercial airlines, aircraft manufacturers, aviation stakeholders, and federal and state lawmakers to seek safe, efficient and quieter aircraft combined with innovative flight technology.

“ONCC’s mission focuses on people and technology and Chairman Mulder remains at its helm.”

FAA**FAA EXPECTS TO ISSUE UPDATED NOISE POLICY BY END OF DECADE**

The Federal Aviation Administration anticipates being in a position to deliver an updated comprehensive civil aviation noise policy document by the end of the decade, agency officials reported at the 11th International Congress on Noise as a Public Health Problem (ICBEN) 2014 held in June in Nara, Japan.

They said the FAA will issue noise policy updates earlier than that if warranted by the results of research on which the updated policy will be based.

The FAA’s noise policy update is being guided by a research roadmap that covers four different types of impacts (annoyance, sleep disturbance, health, and children’s learn-

ing), source characterization of noise from helicopters, supersonic aircraft, and noise propagation.

FAA's research efforts were discussed in a paper (Review of Civil Aviation Noise Policy in the United States) presented at the ICBEN meeting, at which the world's top noise researchers convene every three years.

The paper was prepared by Rebecca Cointin, manager of the Noise Division of FAA's Office of Environment and Energy; Lourdes Maurice, director of the Office; Lynne Pickard, deputy director of the Office; Katherine Andrus, environmental protection specialist; and James Hileman, FAA's chief scientific and technical advisor for environment.

FAA Noise Research Projects

Following is an excerpt from the paper discussing various research efforts:

"The FAA's work on annoyance centers on a new social survey that will produce data on community response to civil aviation noise (Aircraft Annoyance, 2014). That work, along with an exploration of the appropriateness of the DNL metric to capture cumulative noise exposure, will provide a basis for updating the FAA's policy guidance on assessing noise impacts.

The FAA's research on children's learning and civil aviation noise has concentrated on the benefits of sound insulation. Current research is exploring the possible linkage between exposure of aircraft noise at home and children's learning (Sharp et al 2014).

In addition, the FAA is undertaking cases studies of how those in the classroom react when aircraft overfly the classroom, and exploring the use of different metrics and different eligibility criteria for sound-insulating schools.

The FAA's current work on aviation noise and health is focused on cardiovascular health. (Although many people include sleep disturbance and annoyance under the category of health, the FAA has separate research work in these two areas.) Recent research suggested a link between aviation noise and cardiovascular disease in the elderly, but limitations with the study require follow-on research to explore that linkage (Levy & Dominici).

Work has been completed on the impact of noise from different modes of transportation on sleep. The FAA, in collaboration with the German Aerospace Center, DLR, has been developing methods for conducting field studies to study the impact of aviation noise on sleep. The FAA is designing a field study on the effects of aircraft noise on sleep and recuperation based on current scientific knowledge in both the noise effects and the sleep research areas (Davies & Basner). A small field study is currently being planned and will be executed in the next year.

As research progresses, the FAA's policy will evolve to reflect improvement in scientific knowledge. The FAA will issue policy updates if warranted by research results and other considerations, and anticipates being in a position to deliver an updated comprehensive policy document based on the findings of this research by the end of the decade. The

FAA's policy will continue to build upon the goal outlined in the 2012 Aviation Environmental and Energy Policy Statement.

To support the research on impacts FAA needs to ensure that the environmental models used to calculate noise exposure use the latest methodologies and source data. To that end, there is dedicated on-going work to improve the propagation methods within the models and to ensure the noise-power-distance curves are expanded to the distances needed to support the necessary environmental analyses. Additional noise modeling methods will also be explored.

As new aircraft types are introduced, it is important that the right regulatory framework is in place to support certification of those aircraft. The FAA is working with the International Civil Aviation Organization's Committee on Aviation Environmental Protection (ICAO CAEP) to establish an internationally recognized certification process for supersonic aircraft that will fly over land. In conjunction with this work, the FAA is conducting research to explore the possibility of reducing the impact of sonic booms. This research includes such work as acceptance, annoyance, modeling, and metric exploration.

Finally, community response to the use of helicopters in urban areas has led to a resurgence of work in this area. FAA is exploring the correlation of human response to civil jet operations and helicopter operations. In addition, FAA is endeavoring to improve modelling for helicopters and explore potential updated noise abatement procedures for helicopters.

FAA is also beginning to explore the noise research needs for unmanned aircraft systems (UAS). Current work consists of understanding how the vehicles may be used in the national airspace system, how they may need to be considered in environmental analysis, and how FAA environmental modeling tools can best model the environmental impacts of UAS. In addition, ongoing work with respect to commercial space is concentrated on determining the most appropriate noise modeling methodology for the vehicles and ensuring appropriate noise policy for commercial space operations within the U.S.

Using an EMS [environmental management system] framework, these individual areas of research come together in a goals-oriented research portfolio that will provide a stronger, more comprehensive basis for an updated FAA noise policy."

FAA noted in its paper that its noise effects research "is linked to an overall effort to determine the most appropriate way to capture the human response to civil aviation noise in a dose response relationship."

Currently FAA captures this relationship using the Day-Night Average Sound Level (DNL) noise metric with percent of people highly annoyed at a level of DNL 65 dB. In the mid-term, FAA said it is keeping this framework but is reexamining whether DNL 65 dB remains the appropriate level.

The longer-term research by the agency is exploring whether there is an alternative metric and/or type of impact that the FAA should consider.

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Los Angeles Int'l

LAX BOARD AUTHORIZES \$18.42 MILLION FOR SOUND INSULATION IN INGLEWOOD

The Los Angeles Board of Airport Commissioners on Nov. 6 authorized a Letter of Agreement with the City of Inglewood that will result in a grant of \$18.42 million in Los Angeles World Airports (LAWA) funding for sound insulation.

These funds, along with a \$13.66 million Federal Aviation Administration (FAA) grant for a combined total of \$32.08 million, will enable Inglewood to design and sound insulate 746 dwelling units. The project cost covers all acoustical, architectural, engineering, construction and administrative activities. Construction contractors typically install double-paned windows, solid-core doors, fireplace doors and dampers, attic baffles, insulation, and other elements to achieve a targeted exterior noise level of 65 decibels.

The homes included in this project are directly impacted by aircraft approaching Los Angeles International Airport (LAX). Owners of these dwellings have committed to participate in the program by signing agreements with the City of Inglewood's Residential Sound Insulation Program.

The FAA approved LAWA's Federal Aviation Regulation (FAR) Part 150 Noise Compatibility Program at LAX in 1985, making land-use mitigation projects with the cities of Los Angeles, El Segundo and Inglewood and the unincorporated areas of Los Angeles County eligible for FAA funding.

Inglewood has participated in this Noise Compatibility Program since the 1980s, and has received noise mitigation-funds from both LAWA and the FAA since 1985 for its voluntary acquisition and relocation program and its residential sound insulation program. To date, LAWA has awarded \$102 million and the FAA has awarded \$216 million to Inglewood, for a total of \$318 million.

In all, more than 18,000 homes around LAX have been soundproofed, with more than 4,900 of those homes being in Inglewood.

The grant is in accordance with the LAX Master Plan Stipulated Settlement Agreement reached in February 2006, with the County of Los Angeles; the cities of El Segundo, Culver City, and Inglewood; and the Alliance for a Regional Solution to Airport Congestion. Per this settlement, the cities of El Segundo, Inglewood and the County of Los Angeles together are eligible for up to \$22.5 million per year for sound insulation.

Approval of this grant fulfills LAWA's Settlement Agreement to the City of Inglewood for calendar years 2013 and 2014.

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Litigation

HOMEOWNERS CHALLENGE FAA'S FONSI ON N. CALIFORNIA METROPLEX PROJECT

Three residents of San Mateo County, CA, have filed suit in the U.S. Court of Appeals for the Ninth Circuit challenging the Federal Aviation Administration's conclusion that there will be no significant noise impact from airspace revisions being made under the agency's Northern California Metroplex project.

The Petition or Review challenges FAA's issuance of a Finding of No Significant Impact (FONSI) and Record of Decision (ROD) in July for the project, which is formally called the Northern California Optimization of the Airspace and Procedures in the Metroplex (NorCal OAPM).

The project is being undertaken to improve the efficiency of the National Airspace System in the Northern California Metroplex by optimizing aircraft arrival and departure routes at San Francisco International, Oakland International, Mineta San Jose International, and Sacramento International airports.

The petitioners are seeking Court review of the entire FONSI, including its conclusions that the proposed airspace changes would not result in significant noise

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East Hampton

DATA SHOW THAT HELICOPTER OPERATIONS CAUSING 68 PERCENT OF NOISE COMPLAINTS

In the latest in a series of carefully planned steps on its path to imposing noise restrictions at East Hampton Airport that can withstand a legal test, the East Hampton Town Board held a special meeting on Oct. 30 at which consultants presented studies defining the nature and extent of aircraft noise impact on the community and showing that increasing numbers of helicopter operations are the target of most noise complaints.

Some 68 percent of noise complaints are about helicopter operations, which account for 33 percent of airport operations, according to Peter Wadsworth, a member of the Town's Airport Noise Abatement Committee.

Les Blomberg of the Noise Pollution Clearinghouse reported that in 2013, homes within 10 miles of East Hampton Airport were impacted by aircraft noise exceeding the town code levels 15.1 million times during the nighttime and 16.7 million times during the daytime.

The Town Board is under strong pressure from the community to enact noise restrictions on helicopter operations at East Hampton Airport which increased by

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In This Issue...

NextGen ... San Mateo County, CA, residents ask U.S. Court of Appeals for the Ninth Circuit to review FAA finding that airspace changes to be made under Northern California Metroplex project will have no significant noise impact - p. 151

East Hampton ... Town presents data to support aircraft noise restrictions at East Hampton Airport - p. 151

NASA ... Agency tests shape-changing aircraft flap for first time; could make future airliners quieter and more fuel efficient - p. 152

Chicago O'Hare Int'l ... Illinois congressional representatives want Chicago Aviation Department to improve noise complaint process for O'Hare - p. 152

National Parks ... Sen. John McCain applauds FAA, National Park Service for providing incentive to Grand Canyon air tour operators to install quieter aircraft technology - p. 154

Litigation, from p. 151

impact; that no mitigation is required; that the FONSI is consistent with national environmental policies and objectives; and that an environmental impact statement need not be prepared.

The case, *James E. Lyons, et al v. Federal Aviation Administration, et al* (Case No. 14-72991), was filed Sept. 26.

The petitioners live in the communities of Woodside and Portola Valley, CA, in San Mateo County, west of SFO and under its arrival path. They are being represented by San Francisco attorney Thomas V. Christopher.

The Ninth Circuit is in the process of revising court dates set earlier for mediation efforts and deadlines for submission of briefs. The new dates are expected to be announced next week.

In related news, an online petition at Change.org lists over 1,100 names of residents mostly in the wealthy community of Portola Valley asking California's two senators, Barbara Boxer (D) and Dianne Feinstein (D) and congressional representatives Anna Eshoo (D) and Jackie Speier (D) to get FAA and SFO to take immediate steps to reduce the amount of air traffic vectored over their communities.

The petition tells lawmakers that the Northern California Metroplex project should not be implemented "until additional analysis has been conducted to evaluate actual air and on-the-ground noise pollution and its effects on our communities and surrounding open spaces."

The petition also states that commercial aircraft on arrival to SFO should be required to comply with the 2001 agreement with the FAA to maintain an altitude of at least 8,000 feet and 5,000 feet over certain communities.

NASA

NASA TESTS SHAPE-CHANGING AIRCRAFT FLAP FOR FIRST TIME

The National Aeronautics and Space Administration said its green aviation project is one step closer to developing technology that could make future airliners quieter and more fuel-efficient with the successful flight test of a wing surface that can change shape in flight.

This past summer researchers replaced an airplane's conventional aluminum flaps with advanced, shape-changing assemblies that form seamless bendable and twistable surfaces, the agency announced Nov. 7.

NASA said that flight testing will determine whether flexible trailing-edge wing flaps are a viable approach to improve aerodynamic efficiency and reduce noise generated during takeoffs and landings.

The Adaptive Compliant Trailing Edge (ACTE) project is a joint effort between NASA and the U.S. Air Force Research Laboratory (AFRL), using flaps designed and built by FlexSys, Inc., of Ann Arbor, Michigan.

With AFRL funding through the Air Force's Small Business Innovative Research program, FlexSys developed a variable geometry airfoil system called FlexFoil that can be retrofitted to existing airplane wings or integrated into brand new airframes.

FlexFoil's inventor, FlexSys founder and Chief Executive Officer Sridhar Kota hopes testing with the modified Gulfstream III will confirm the design's flight worthiness and open doors to future applications and commercialization. ACTE is being flown at NASA's Armstrong Flight Research Center in Edwards, CA.

"This flight test is one of the NASA Environmentally Responsible Aviation (ERA) Project's eight large-scale integrated technology demonstrations to show design improvements in drag, weight, noise, emissions, and fuel reductions," said Fay Collier, ERA project manager at NASA's Langley Research Center in Hampton, Virginia.

During the initial ACTE flight, the experimental control surfaces were locked at a specified setting. Different flap settings will be employed on subsequent flights to collect a variety of data demonstrating the capability of the flexible wings to withstand a real flight environment. The flaps have the potential to be retrofitted to existing airplane wings or integrated into new airframes.

"We have progressed from an innovative idea and matured the concept through multiple designs and wind tunnel tests, to a final demonstration that should prove to the aerospace industry that this technology is ready to dramatically improve aircraft efficiency," said AFRL Program Manager Pete Flick, from Wright-Patterson Air Force Base, Ohio.

ACTE technology is expected to have far-reaching effects on future aviation. Advanced lightweight materials will reduce wing structural weight and give engineers the ability to aerodynamically tailor the wings to promote improved fuel economy and more efficient operations, while reducing environmental impacts.

"The first flight went as planned – we validated many key elements of the experimental trailing edges," said Thomas Rigney, ACTE Project Manager at Armstrong. "We expect this technology to make future aircraft lighter, more efficient, and quieter. It also has the potential to save hundreds of millions of dollars annually in fuel costs."

O'Hare Int'l

REPS WANT CHICAGO TO IMPROVE COMPLAINT PROCESS FOR O'HARE

Illinois Reps. Mike Quigley (D), Tammy Duckworth (D) and Jan Schakowsky (D) called on the Chicago Department of Aviation to take immediate steps to improve its noise complaint process for O'Hare International Airport.

The Nov. 11 request comes after constituents of all three congressional districts have consistently complained that the CDA is not taking adequate steps to record and respond to

resident complaints regarding increased airplane noise at O'Hare.

"With noise resulting from the O'Hare Modernization Program at record levels, my constituents need to know that their voices are being heard," said Rep. Quigley.

"Our residents can't get a decent night's sleep or even enjoy quality time outside with their children. Therefore, we believe it's imperative that the City fund and operate a telephone hotline that accurately and compassionately responds to their noise complaints."

In their letter to Chicago Aviation Commissioner Rosemarie Andolino, the members of Congress called for a dedicated O'Hare noise complaint line, manned by personnel versed on the noise issue, in order to begin to get an accurate count of constituent complaints.

Currently, there is not a dedicated complaint line for airport noise. Calls to complain about O'Hare noise go to a 311 number which answers everything from pot hole issues to garbage removal.

Further, noise complaints coming from the suburbs may not even be answered because they come from non-city telephone numbers. There is a website where airport noise complaints can be filed but many seniors don't have computer/internet access, so that is not a viable option for them.

"Our constituents in Chicago have told us repeatedly that their calls are often dropped or not answered in a reasonable time," the Illinois members wrote. "It's no wonder that many of our constituents feel that the very system put in place to record their concerns is simply ignoring them instead."

School Insulation

The O'Hare Noise Compatibility Commission (ONCC) announced Oct. 29 that Christian Ebinger Elementary School, located in Ward 41 on Chicago's northwest side, has received \$6 million in grants from the Federal Aviation Administration and the City of Chicago for installation of sound insulation.

Ebinger is the last of 124 schools to qualify for sound insulation within the O'Hare Modernization Program's build-out noise contour.

In 2007 the CDA tested the school and deemed it eligible for school sound insulation.

In June, 2014 Ebinger received \$468,750 in grants from the FAA and Chicago to cover architectural and engineering costs, environmental and acoustical consultants, environmental testing and administrative expenses. The recent construction grants will cover asbestos abatement, acoustical windows, entrances and HVAC and electrical modifications.

"We are very pleased Ebinger finally began the sound insulation design process last summer," said Dr. Raymond Kuper, chair of the ONCC School Sound Insulation Committee. "The fact that this school received construction funding so quickly in September underscores the importance of ONCC's School Sound Insulation Program. We were competing for federal dollars against nearly 3,330 other airports."

East Hampton, from p. 151

40 percent this summer over last due to a new business model under which people in Manhattan can share the cost of a helicopter ride to the Hamptons, saving them money and time.

When federal grant assurances expire at the end of the year, the Town will be free to impose operational restrictions.

However, in order to withstand the court challenge promised by airport users and business interests, any restriction(s) must be carefully crafted to address a specific noise problem. Federal law requires that airport noise restrictions must be reasonable, non-arbitrary, and non-discriminatory.

The Town Board is seeking public input on various options to reduce noise impact on the community: no action; banning certain types of aircraft; imposing time-based restrictions, fee-based restriction, or air-traffic flow management; sound insulation and home acquisition/relocation; voluntary measures (curfews, agreements with carriers and/or FAA regarding routes or altitudes); and seeking federal restrictions, such as mandatory transition routes for the North Shore of Long Island off-shore helicopter route and/or a new mandatory route for the South Shore.

It's understood if you're operating an airport, you're going to have noise," East Hampton Town Supervisor Larry Cantwell, told *Newsday Long Island*. "The question is, is there a threshold that can be established to protect those who are most impacted by it? We're in the process of exploring that possibility in a very deliberate, logical way."

The Town Board will meet on Dec. 2 to narrow the range of alternative restrictions to be studied in depth, according to Denver attorney Peter Kirsch, of Kaplan Kirsch & Rockwell, who is guiding the Town in its consideration of noise restrictions.

At that meeting, he told ANR, the Board will hear a report from Ted Baldwin of the acoustical consulting firm Harris Miller Miller & Hanson Inc. (HMMH).

Pilots Critical of Study

In a letter to Town Supervisor Cantwell, Friends of East Hampton, a coalition of pilots and airport users, called the Town's noise study "deliberately misleading and purely political" and questioned why the consultants used last year's flight paths when higher flight paths were followed this year.

The organization has asked the Suffolk County comptroller's office to determine whether the \$60,000 noise study was a misuse of the Town's public funds.

Henry Young of Young Environmental Sciences, one of the study consultants, said that 2013 data was used because it is the latest set of complete yearly data.

Kirsch told ANR, "... any data can be criticized for being too narrow, too broad, too old, too new, too inclusive, too exclusive, etc. What is important is not whether the data is the only way to present information but whether the data has been reported accurately and transparently. The public and the decisionmakers need to understand the limitations of the data and the consultant(s) to be entirely transparent.

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“The data that has been released has been completely transparent: some of the analysis relied on 2013 data (because that was the latest data available when the study began) while other analysis relied on 2014 data (because the analysis did not begin until after the end of the 2014 season).

“The Town believes that, since any data can be subject to scrutiny and each year’s data is different, it is important to have data from various different years. It is noteworthy that the DNL analysis was for 2013 but the complaint data was from the 2014 season, a year in which some people have suggested that there was better compliance with voluntary procedures. The data that was presented was just one phase of the effort – more data will become available on Dec. 2 and even more as the Town and its consultants examine alternatives.”

East Hampton may be successful in imposing noise restrictions at its airport because of an especially beneficial confluence of timing, FAA correspondence, and a federal appeals court ruling (26 ANR 122). If enacted, a noise restriction at the airport would be the first non-Airport Noise and Capacity Act noise restriction since passage of ANCA 24 years ago.

National Parks

INCENTIVE FOR QUIETER AIR TOURS IN GRAND CANYON PROVIDED BY FAA/NPS

Sen. John McCain (R-AZ) applauded the National Park Service and the Federal Aviation Administration on their Nov. 10 announcement of a new program to incentivize the installation of noise-reduction “quiet technology” in air tour aircraft at Grand Canyon National Park.

The new “seasonal relief program” will allow air tour operators who voluntarily upgrade their aircraft quiet technology to transfer flight allocations that go unused during slower winter months and apply them to busier summer months.

According to NPS, this new incentive has the potential to add approximately 3,700 flights beginning in summer 2015 in the Dragon-Zuni flight corridor, a popular scenic flight path that is designated for special use by the air tour operators.

“This is a major step forward for promoting tourism jobs in northern Arizona and enhancing the soundscape at Grand Canyon National Park,” said Sen. McCain. “Air tours provide a unique sightseeing experience for people who might otherwise not be able to visit the Grand Canyon, particularly the elderly and the disabled. These added flights will support tourism opportunities while placing Grand Canyon National Park on a path to achieve the goal I established in the 2012 Highway Bill that all air tour aircraft be equipped with quiet technology within the next 15 years.”

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Technology

BOEING 787 ECO-DEMONSTRATOR BEGINS FLIGHT-TESTING NEW GREEN TECHNOLOGIES

Boeing said Nov. 17 that its ecoDemonstrator 787 aircraft has begun flight-testing more than 25 new technologies aimed at improving aviation's environmental performance through every phase of flight.

The Boeing ecoDemonstrator Program accelerates the testing, refinement, and use of new technologies and methods that can improve aircraft efficiency and reduce noise.

This new round of testing, using 787 Dreamliner ZA004, will evaluate software and connectivity technologies related to operational efficiency; remote sensors to reduce wiring; aerodynamic and flight control improvements for greater fuel efficiency, and icephobic wing coatings to reduce ice accumulation.

"The ecoDemonstrator is focused on technologies that can improve airlines' gate-to-gate efficiency and reduce fuel consumption, emissions, and noise," said Boeing Commercial Airplanes President and CEO Ray Conner.

"Through the ecoDemonstrator Program, Boeing continues to invest in innova-

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Legislation

BILLS IN KENTUCKY, ILLINOIS WOULD GIVE TAX CUTS TO HOMEOWNERS NEAR AIRPORTS

Legislation has been introduced in the Illinois State House and prefiled in the Kentucky State House that would provide property tax breaks to homeowners living in high noise areas around airports.

Illinois Rep. Martin Moylan (D), who represents suburban areas near Chicago O'Hare International Airport, introduced HB 6294 in the Illinois House on Sept. 2. The bill had its first reading on Nov. 6 and was referred to the Rules Committee.

The bill has one co-sponsor, Rep. Kathleen Willis (D).

HB 6294 would amend the Illinois Property Tax Code to double the homestead exemption amount for property that is "negatively affected" by aircraft noise from O'Hare "if the property routinely experiences aircraft noise of 65 decibels or more, and that aircraft noise is directly attributable to flight patterns at Chicago O'Hare International Airport."

The tax assessor or chief country assessment officer would determine the homeowner's eligibility to receive the double homestead exemption under the legislation "by application, visual inspection, questionnaire, or other reasonable methods."

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tion that benefits the environment and our customers.”

The ecoDemonstrator 787 tests include:

- NASA Airborne Spacing for Terminal Arrival Routes (ASTAR) to improve landing efficiency;
- New greenhouse gas sensors evaluated in collaboration with Japan Airlines and others;
- Real-time turbulence reports generated in collaboration with Delta Air Lines to mitigate moderate or greater turbulence events, resulting in improved flight efficiency and passenger comfort;
- Instrument landing systems for new and older aircraft to optimize landings and reduce fuel use;
- On-Board Wireless Sensor Network and Micro Electro Mechanical Systems microphones to reduce wiring and weight; and
- Outer wing access doors made from recycled 787 carbon fiber to reduce material costs and factory waste.

The ecoDemonstrator 787 completed flight tests in July for an acoustic ceramic matrix composite nozzle designed by Boeing to reduce weight and noise. These tests were part of the FAA Continuous Lower Energy, Emissions and Noise (CLEEN) Program, a competitively bid five-year program with costs shared by participants.

“The 787 Dreamliner provides airlines with unmatched fuel efficiency and exceptional environmental performance, reducing fuel use and carbon emissions by 20 percent compared with today’s similarly sized airplanes,” Boeing said.

In 2011, with an American Airlines Next-Generation 737, the ecoDemonstrator Program tested 15 technologies including aspects of the Advanced Technology Winglet that will improve fuel efficiency by up to 1.8 percent on the new 737 MAX.

In 2015, the ecoDemonstrator Program will test more technologies on a 757 in collaboration with TUI Travel Group and NASA.

Supplier partners for ecoDemonstrator 787 technologies and flight tests also include Rolls Royce, Honeywell, Rockwell Collins, General Electric, and Panasonic.

Boise Airport

HNTB SELECTED TO CONDUCT 150 STUDY FOR BOISE AIRPORT

The City of Boise has selected HNTB Corporation to conduct a Part 150 airport noise compatibility study for Boise Airport and surrounding areas.

The study is a follow-on to similar work HNTB completed in 2005 and will provide the basis for future noise reduction and land-use decisions, the firm said Nov. 17.

Building on HNTB’s experience at the airport and findings of the previous study, the project will proceed on an accelerated schedule, taking 18 months to complete.

It will include analysis of current noise conditions as well as estimates of noise five years in the future. Additional analysis will include potential land-use options for properties previously and potentially purchased to mitigate aviation noise impacts.

Uniquely, the study also will examine potential effects of future military aircraft operations on the communities surrounding the airport as the future mission of the Idaho Air National Guard – which currently operates a training program for A-10 aircraft at Boise Airport – is contemplated at a national level.

Affectionately called the “Warthog” for its aggressive look, the A-10 Thunderbolt II is the U.S. Air Force’s primary low-altitude close air support aircraft.

“We are honored that the City of Boise has selected our team to conduct this study,” said Kim Hughes, PE, HNTB aviation environmental planning practice leader. “The result will be an in-depth study that benefits the city and the airport and provides guidance for future noise mitigation and land-use decisions.”

A public outreach program will solicit feedback from communities around the airport during development of the study. Additionally, follow-up meetings will be held after the report has been drafted to share the results and provide insight to the communities on land use.

Technology

FAA CERTIFIES FLIGHT MGMNT. SYSTEM FOR BOEING 737 CLASSIC

Exton, PA-based international avionics supplier Innovative Solutions & Support (IS&S) has received a Federal Aviation Administration Supplemental Type Certification (STC) for its Flight Management System for Boeing 737 Classic aircraft.

As a result, IS&S now offers the most advanced Boeing 737-300/-400/-500 NextGen retrofit, including Required Navigational Performance/Radius to Fix (RNP/RF), Required Time of Arrival (RTA), Localizer Performance with Vertical guidance (LPV) and Wide Area Augmentation System / Global Positioning System (WAAS/GPS) capabilities, the company said Nov. 17.

“The IS&S cockpit upgrade opens a major new aircraft retrofit market worldwide, providing legacy air transport aircraft with navigational capability and performance equivalent to that of the newest production aircraft.”

This latest certification is the culmination of a multi-year program to upgrade (2) 737-400 aircraft to full CNS/ATM compliance standards in which IS&S served as the systems integrator. This program included installation of new transponders, cockpit printers, ACARS and SATCOM systems. Relocation of the center console facilitated installation of this new equipment.

The IS&S B737 Classic cockpit upgrade is the first Air

Transport retrofit to integrate RNP/RF, LPV and WAAS/GPS approaches supporting a worldwide navigational database, greatly increasing the utility of these aircraft and firmly establishing IS&S as a leader in this market. The RNP and WAAS/GPS capabilities will enable aircraft to fly shorter flight paths and optimum idle-thrust descents, thereby reducing fuel consumption, carbon emissions, and noise levels. LPV capability significantly improves access, with thousands of airports now benefitting from published WAAS LPV procedures.

Europe

EUROCONTROL COLLABORATIVE ENV. MANAGEMENT SPEC ISSUED

EUROCONTROL said Nov. 5 that it has officially launched a Collaborative Environmental Management Specification (CEM), which sets out a unique collaborative approach to managing environmental impacts at and around airports.

The Specification supports all stakeholders in airport operations in their quest to reduce their gaseous and noise emissions as well as to improve local air quality.

"In practical terms, CEM is based on the formalization of local working arrangements between the airport, its airlines and air navigation services provider (ANSP) so as to jointly monitor key environmental parameters. This allows for a better identification of trade-offs between different environmental objectives, helping to resolve environmental and operational challenges based on informed decisions," EUROCONTROL and ACI-Europe explained in a joint statement.

ACI-Europe endorsed the CEM Specification as one of its Recommended Practices, making it an industry standard. EUROCONTROL and ACI-Europe said that adoption of the CEM marks a new chapter in the cooperation between the two organizations and builds on their joint efforts to promote airports' "license to grow." EUROCONTROL endorsed ACI-Europe's Airport Carbon Accreditation Program when it was launched in 2009.

"What EUROCONTROL, ACI-Europe's Environmental Strategy Committee, and the airports were aiming at when they first started collaborating on CEM in 2008, was to build a new approach through which all the partners could tackle, collectively, the common environmental issues they were facing. CEM provides a means to strategically deal with environmental issues at airports so that local regulators and communities can propose common solutions," said Frank Brenner, director general of EUROCONTROL.

ACI-Europe Director General Olivier Jankovec added, "Environmental management is a core issue for European airports, as it is a vital part of earning our license to grow. Over the years, we have been addressing critical priorities like carbon emissions, noise, and local air quality with tailored approaches. In the collaborative environment of an airport,

bringing these processes together is a natural next step.

"Working with EUROCONTROL to develop Collaborative Environmental Management has been very positive, and the result provides our members with a blueprint for an even more robust and transparent dialogue with their airlines and ANSPs aimed at identifying the best possible solutions to jointly address environmental impacts."

The EUROCONTROL CEM is at <http://www.eurocontrol.int/publications/eurocontrol-specification-collaborativeenvironmental-management-cem>

The ACI-Europe Recommended Practice is at <https://www.aci-europe.org/component/downloads/downloads/4059.html>

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Homeowners seeking the exemption would be required to submit their application "along with documentation establishing that the property is negatively affected by aircraft noise" from O'Hare.

Members of the Suburban O'Hare Commission, which represents municipalities around O'Hare, urged Rep. Moylan in a recent letter to withdraw HB 6294, which they contend will create "redline" districts through the suburbs in which homeowners would get small annual property tax savings while suffering greater reductions in their property values.

Some nine mayors (representing the suburban communities of Addison, Bensenville, Elk Grove Village, Hanover Park, Itasca, Roselle, Schaumburg, Schiller Park and Wood Dale and the supervisor of Elk Grove Township) told Moylan in their letter that homeowners could save an average of \$675 each year on their property taxes but lose 10 percent to 30 percent of their property value.

They also contended that local authorities might be forced to raise property taxes to cover the shortfall caused by the tax break provided in Moylan's bill.

But Moylan refuted these assertions, arguing that the mayors "got it backwards." He told the Arlington Heights *Daily Herald* that his legislation is "not going to create a redline district. These areas are already defined by the O'Hare noise contour. Property values are already declining. This bill offers some relief."

Moylan was reelected to a second term in the Illinois House by a slim margin on Nov. 4.

Kentucky Bill

Rep. Jim Wayne (D), who represents communities around Louisville International Airport, has pre-filed legislation for the 2015 session of the Kentucky Legislature that would provide a refundable tax credit for 100 percent of the costs of sound insulation paid for by homeowners in the 60 dB DNL and greater noise contours of airports in the state.

The legislation will mainly affect residents in the 60 DNL contour of Louisville International Airport who did not qualify for inclusion in the airports residential sound insulation program, which ends at the 65 DNL contour line.

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The legislation also would aid residents of Audubon Park, KY, where town officials have passed an ordinance prohibiting residents from signing avigation easements required for participation in the Louisville sound insulation program.

An earlier version of Wayne's bill, which would have provided a tax credit covering only 20 percent of the cost of sound insulation by homeowners with a \$1 million overall statewide cap, had support in the state House but was killed by Republicans in the State Senate, Wayne told ANR.

He said that ended up being a good thing because the revised bill now provides a refundable tax credit covering 100 percent of sound insulation costs up to an overall statewide cap of \$3 million per year.

Wayne said his bill was the brainchild two years ago of the Airport Neighbors Alliance, a coalition of communities impacted by noise from Louisville International.

The bill may not make it through the 2015 short session of the state Legislature because super majorities are required for revenue bills. If the bill fails to pass, Wayne plans to reintroduce it in the 2016 session.

Airport Sues Audubon Park

In related news, the Louisville Airport Authority filed suit against the City of Audubon Park after it fined the airport authority \$13,000 for 13 alleged violations of its ordinance designed to prevent the soliciting of easements.

Audubon Park leaders do not want city residents to have to give up an avigation easement as a condition of receiving sound insulation.

The city's ordinance, approved last December, requires anyone seeking an avigation easement to first obtain a city permit. The ordinance makes it unlawful to offer, solicit, or accept an easement that would allow noise emissions or other pollutants that would detract from the character of the city, which is listed on the National Register of Historic Places.

The airport authority asked in its lawsuit that the city's fine be dismissed, that the airport authority be declared immune from the ordinance, and that the ordinance be declared unconstitutional because its enforcement exceeds the police powers of the city.

In an Aug. 7 letter, Louisville Regional Airport Authority Executive Director C.T. "Skip" Miller told Audubon Park residents who had expressed interest in participating in the airport's SIP that the airport authority could no longer offer it to them because time had run out for the airport to complete insulation there by next September when FAA's more restrictive eligibility requirements for airport SIPs take effect.

The lawsuit is *Louisville Regional Airport Authority v. City of Audubon Park* (No. 14-C-09866) filed Sept. 19 in Jefferson District Court.

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